

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69963 of 2024

Arising Out of PS. Case No.-128 Year-2021 Thana- GOPALPUR District- Gopalganj

Raj Kumar Singh @ Raj Kumar S/O Lakshama Singh @ Lakshman Singh
R/O Derwa, P.S- Gopalpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Gopalpur P.S. Case No. 128 of 2021 registered for the offences punishable under Section 30(a), 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

3. Altogether 20.400 litres of country made liquor has been recovered from the seized bicycle and motorcycle. One person was apprehended on spot and disclosed the name of the petitioner, who got succeeded in fleeing away.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. He has



no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. He was not apprehended from the spot. His name has been transpired in the present case due to animosity. He is neither the driver nor the owner of the seized motorcycle and bicycle. It is further submitted that there is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has five criminal antecedents of similar nature of offence that of the present case.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the criminal antecedents having similar nature of offence, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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