

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75186 of 2024

Arising Out of PS. Case No.-449 Year-2024 Thana- Excise P.S. District- Nawada

Binod Kumar @ Binod Prasad @ Binod Yadav S/o- Prasadi Prasad @ Prasadi Prasad Yadav Village- Bhajji Bhita PS-Rajauli Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Suruchi Anand, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No.449 of 2024, registered for the offences punishable u/s 30(a) and 47 of Bihar Prohibition Excise Amendment Act, 2018.

3. Altogether 30 litres of country made liquor is said to have been recovered from a motorcycle and it is alleged that the petitioner fled away from the spot on seeing the police.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He



was not apprehended on the spot and his name transpired in the case on the statement of the apprehended co-accused. Petitioner is not the owner of the seized motorcycle. Petitioner has four criminal antecedent, in similar nature of offence.

5. Having regard to the facts and circumstances of the case and considering the criminal antecedent of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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