

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75424 of 2024

Arising Out of PS. Case No.-336 Year-2024 Thana- GORAUL District- Vaishali

Rakesh Kumar S/o- Ashok Rai Village- Piroi Ps- Goraul Dist- Vaishali
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kahkashan Alam, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with Goraul P.S. Case No. 336 of 2024 registered for the offences punishable under Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Altogether 2925.12 liters of Indian made foreign liquor has been recovered from the seized vehicles. Petitioner as well as other accused persons are said to have fled away from the spot after seeing the police.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious possession of the petitioner or from his house rather 2925.12 liters of foreign liquor is said to have been recovered from



godown of co-accused Bachan Singh. Petitioner has no concern either with the seized liquor or the seized vehicles 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 on the spot. His name has been transpired in the present case merely on suspicion. It is evident from the seizure list itself that the vehicles in question were found in abandoned condition. It is further submitted that petitioner has two criminal antecedents of similar nature of offence that of the present case.

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

6. Having regard to the facts and circumstances of the case, huge recovery of liquor and the criminal antecedents of the petitioner having similar nature of offence that of the present case, 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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