

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75126 of 2024

Arising Out of PS. Case No.-491 Year-2024 Thana- MADHAURAH District- Saran

Prakash Nut @ Prakash Nat S/O Dineshwar Nut R/O Village- Bajitbhoraha
,P.S.- Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma
For the Opposite Party/s : Mr. Bishweshwar Ram

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 Marhowrah P.S. Case No.491 of 2024, registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Act.

3. Altogether 50 liters of country made liquor is said to have been recovered from the place of occurrence.

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 physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. He was not



apprehended on the spot and his name transpired in the case only on the basis of secret information. Petitioner has four criminal antecedents in similar nature of offence.

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

6. Having regard to the facts and circumstances of the case as well as considering that earlier the petitioner was granted anticipatory bail by this Court in connection with Marhowrah P.S. Case No.461 of 2024 with a condition that he shall not indulge himself in any similar offence till conclusion of the trial but since the petitioner has been made accused in the present case, I am not inclined to enlarge him on bail. The prayer for grant of bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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