

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76279 of 2024

Arising Out of PS. Case No.-611 Year-2024 Thana- Excise P.S. District- Nawada

Kanhaiya Kumar Son of Anil Prasad Verma Resident of Village - Linepar,
Mirjapur, Nawada, P.S. Nawada Town, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Excise P.S. Case No. 611 of 2024 for the offence punishable under Sections 30(a), 47 and 45 of the Bihar Prohibition and Excise Act on 04.09.2024 by the informant, Sanjay Kumar.

3. As per the prosecution story, the Police came to know about the movement of Tata Sumo with the liquor and accordingly, when tried to stop it, they managed to escape, leaving behind the vehicle. From it, 220.875 liters of country-made liquor recovered/seized. The locals gave the name of the persons who escaped as Gopal Kumar and Kanhaiya Kumar (petitioner herein). It is further alleged that when the Police was taking the vehicle back to the Police Station, the unknown persons tried to stop it and when they rushed ahead, they



resorted to pelting of the stones as a result, the window screen of the seized vehicle was broken. Accordingly, the FIR.

4. Though learned counsel for the petitioner tried to impress upon this Court about the innocence of the petitioner, learned APP pointed out that he has criminal antecedents of the same nature and further, not only they escaped, also attacked the Police and it was only due to their intelligence that they came to the Police Station unharmed and with the seized vehicle.

5. Taking into account the aforesaid facts, for the present, this Court is not inclined to extend the privilege of bail to the petitioner.

6. The present bail application stands rejected.

(Rajiv Roy, J)

Adnan/-

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