

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80709 of 2024

Arising Out of PS. Case No.-246 Year-2024 Thana- IMAMGANJ District- Gaya

Upendra Das S/o- Late Jagdish Das Resident of Village- Pranchak PO-
Maigra PS-Imamganj Dist-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramkishor Singh, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Imamganj P.S. Case No. 246 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Altogether 21 litres of country made *Mahua* liquor has been recovered from the house of the petitioner.

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 the place of recovery or any trade of liquor. The allegation levelled against the



petitioner is totally false and based on concocted facts. His name has been transpired in the present case at the instance of his enemy by planting the aforesaid recovery. Learned counsel further submits that the petitioner was not apprehended on the spot and he has no criminal antecedent as mentioned in para 3 of the bail application.

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

6. Having regard to the facts and circumstances of the case, as the alleged recovery has been made from the house of the petitioner, 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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