

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78591 of 2024

Arising Out of PS. Case No.-310 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

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DINESH KUMAR @ DINESH YADAV Son of Hiyalal Yadav Resident of
Village- Laxmipur, Police Station- Sadar, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary
For the Opposite Party/s : Mr. Nawal Kishor Pd. (App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 306-12-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sadar Police Station Case No. 310 of 2024, disclosing offences under Sections 30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Amendment Act/Bihar Prohibition and Excise Act, 2022.

3. The prosecution story, as per the First Information Report, is that the police, on secret information, reached near the place of occurrence and found that a truck was standing in the mango orchard near Durga Mandir and on seeing the police, all the persons present there managed to escape. On search of the truck, the police recovered 3058.56 liters of illicit foreign



liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case with ulterior motive and the name of the petitioner has transpired in this case on the basis of disclosure of his name by the local chowkidar. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or place belonging to the petitioner, rather the entire recovery has been made from the truck which do not belong to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having five criminal antecedents of similar nature of offence and huge quantity of liquor has been seized, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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