

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78989 of 2024**

Arising Out of PS. Case No.-109 Year-2024 Thana- CHACKMEHSI District- Samastipur

Prabhunath Rai Son of Sonelal Ray Resident of Village -Namapur Khedhi PS  
-Chakmehsi District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anish Kumar  
For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      20-11-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chakmehsi P.S Case No. 109/2024 dated 11.07.2024 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 280 litres of illicit foreign liquor was recovered from the roof of the joint house of the petitioner and the co-accused, Nitish Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. The other co-accused person has already been granted



bail by this court *vide* order dated 14.08.2024 passed in Cr. Misc. No. 59234/2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery is made from the house of the petitioner and the co-accused person.

6. Considering the aforesaid facts and circumstances of the case as well as the material available on the record, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

**(Chandra Prakash Singh, J)**

atul/-

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