

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82618 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- RAHIKA District- Madhubani

Jitan Kumar Ray @ Jitan Ray Son of Raju Roy Resident of Village- Khas Mahal Dumri, P.S.- Rahika, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Minakshi Kumari, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rahika P.S. Case No. 191 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 213.900 litres of Nepali country made liquor has been recovered from the hut 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 or from his house. 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. He has falsely been implicated in this case at the instance of his enemy by planting the aforesaid recovery. The hut from where the alleged recovery has been made does not belong to this petitioner, hence he had no knowledge of keeping of the said liquor in the said hut. Learned counsel further submits that petitioner 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 hut 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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