

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80952 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- SAHPUR District- Bhojpur

Hare Ram, aged about 42 years, Male, son of Shiv Bihari Prasad, resident of village- Bin Toli, PS- Ara Muffasil, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Shahpur PS Case No.345 of 2023 dated 30.07.2023, instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 19.800 litres illicit liquor from the two motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that no recovery has been made from the conscious possession of the petitioner. It is also submitted that the motorcycle from which recovery has been made belongs to the petitioner and only that basis the petitioner



has been made accused in this case. It is further submitted that the petitioner has no concern with the illicit liquor. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail. Learned APP has further submitted that the alleged recovery of liquor has been made from the motorcycle of the petitioner and as such, this anticipatory bail application is not maintainable.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, prayer of the petitioner for grant of anticipatory bail is rejected.

8. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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