

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82257 of 2024

Arising Out of PS. Case No.-414 Year-2024 Thana- BARACHATTI District- Gaya

Md. Sakib Alam @ Md. Shakib Alam @ Shakib Alam S/o- Md. Shafik Alam
@ Md. Safique Alam @ Shafik Alam Village- Gajragarh PS-Barachatti
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 414 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 3.750 litres of country made 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. He is not indulged in any kind of manufacturing or trade of liquor. He has falsely been implicated in this case at the instance of his enemy by planting the aforesaid recovery. Learned counsel further submits that 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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