

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86117 of 2024

Arising Out of PS. Case No.-389 Year-2024 Thana- CHHATAUNI District- East Champaran

Gopi Kumar @ Gopi Kumar Ram S/O Suresh Raut R/Village- Mathiya Dih,
Ward No. 13, P.S- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Chhatauni
P.S. Case No. 389 of 2024 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that 40.500
liters of foreign liquor has been recovered from the house of
the petitioner and petitioner succeeded to flee away from his
house leaving the liquor.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that
petitioner lives in joint family and he does not know anything



about the illegal wine. He further submits that there is no recovery from the conscious possession of the petitioner. The petitioner has two criminal antecedents of similar nature as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the illicit liquor is said to have been recovered form the house of the petitioner.

6. Considering the facts and circumstances of case and illicit liquor is said to have been recovered form the house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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