

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84631 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

Ajay Kumar S/o Raj Kumar Bhagat @ Rajkumar Prasad R/o village-
Bishunpur Rupauli, P.S-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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

ORAL ORDER

2 25-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rampur Hari P.S. Case No. 34 of 2023 dated 07.09.2023 for the offences punishable u/ss 272 and 273 read with section 34 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 814.32 litres of illicit foreign liquor was recovered from the hut of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner has no concern with the



alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no other criminal antecedents 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 has been made from the hut of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, 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)

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