

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3363 of 2024

Arising Out of PS. Case No.-452 Year-2023 Thana- Excise P.S. District- Samastipur

Akshat Sharma S/O PRAMOD SHARMA Resident of Village- Gopalpur
Jhahuri P.S.- Kalyanpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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

ORAL ORDER

2 09-02-2024 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Samastipur Sadar P.S. Case No. 452 of 2023, dated 11.10.2023 for the offenses punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

4. As per the prosecution case, total 718.2 litres of Whisky was recovered from the house of the petitioner.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The Petitioner has no criminal antecedent stated in para 3 of the bail petition. No incriminating material has been recovered from the conscious possession of the petitioner, hence no case is made out against the petitioner.

6. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the house of the petitioner.

7. 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.

8. The application stands disposed of.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

