

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11561 of 2024

Arising Out of PS. Case No.-240 Year-2021 Thana- RAJIVNAGAR District- Patna

1. Prabha Singh Sanjay Singh @ Pramod Kumar Prabhakar Vill-Abdulpur PS-Fatuha Dist-Patna At Present- R/o House of Dharmendra Singh Road no.2, Guru Sahay Nagar Dist-Patna
2. Sanjay Singh @ Pramod Kumar Prabhakar son of Sachida Nand Singh Vill-Abdulpur PS-Fatuha Dist-Patna At Present- R/o House of Dharmendra Singh Road no.2, Guru Sahay Nagar Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajeev Nagar P.S. Case No. 240 of 2021 dated 23.06.2021 for the offences punishable u/s 30(a), 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 26.735 liters of illicit foreign liquor was recovered from the house of the petitioners.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. It is further submitted that the petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent nature 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 petitioners by submitting that the recovery has been made from the house of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, the recovery has made from the house of the petitioners, 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 petitioners 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 petitioners on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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