

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10440 of 2025

Arising Out of PS. Case No.-594 Year-2024 Thana- HARSIDHI District- East Champaran

1. Ashik Kumar @ Aman Kumar Son of Nagendra Sah Resident of Village -Lalganj PS -Harsidhi District- East Champaran Motihari
2. Abhinandan Sah @ Abhinandan Kumar Son of Motilal Sah Resident of Village -Lalganj PS -Harsidhi District- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioner apprehends arrest in connection with Harsidhi P.S. Case No. 594 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case in short, is that, total 66 litres of foreign liquor in which 36 litres of liquor from Scorpio and 30 litres of liquor was recovered from the water tank of the house.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the seized scorpio belong to petitioner no. 2. It is further submitted that the name of the petitioners have transpired on the confessional statement of co-



accused person. The petitioner no. 1 has got no criminal antecedent and petitioner no. 2 has three criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submitted that the co-accused persons have been granted regular bail by this Court *vide* order dated 09.12.2024 passed in Cr. Misc. No. 83911 of 2024. Hence, the prayer for grant of anticipatory bail to the petitioners may not be considered.

6. Having considered the rival submissions of the learned counsel for the parties and aforesaid facts and circumstances of the case, this Court does not find fit to grant anticipatory bail to the petitioners.

7. The prayer is ***rejected***. However, the petitioners are directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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