

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15850 of 2025

Arising Out of PS. Case No.-295 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Dinesh Tiwari S/O Late Ramashish Tiwari Resident of Village- Sikatia, P.S-
Jamo, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with C-II Case No. 295 of 2013 lodged on 18.12.2013, for the offence punishable under Section 47(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, Total recovery of 2000 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that nothing has been recovered from the conscious possession of the petitioner. Counsel further submits that



criminal antecedent of the petitioner is not clean as there are four cases pending against him in which in all the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are four cases pending against him which is of similar nature i.e. Bihar Prohibition and Excise Act and this aspect must be taken into consideration.

6. However, in the light of Section 76 of the Bihar Prohibition and Excise Act, 2016, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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