

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17167 of 2025

Arising Out of PS. Case No.-114 Year-2024 Thana- Rangara District- Bhagalpur

Ganesh Kumar Son of Shankar Singh Resident of Mohalla- Bond Dih, Asli,
P.S.- Mufassil, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Rangra P.S. Case No. 114 of 2024 registered under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The prosecution case, in short, is that, 457.920
liters of liquor has been recovered from pick-up vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. Learned counsel for the petitioner also
submits that name of the petitioner has been transpired in this



case on the basis of confessional statement made by co-accused, namely, Golu Kumar and the same has got no evidentiary value. The petitioner has got no concern with the apprehended co-accused person or with the seized vehicle in question. The petitioner has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 28.03.2025 passed in Cr. Misc. No. 19175 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submits that co-accused Golu Kumar has confessed the name of the petitioner stating therein that the vehicle was handed over by this petitioner to the co-accused person. It is further submitted that the petitioner has got two criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is 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)

Rajorshi/-

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