

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26911 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- NASRIGANJ District- Rohtas

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Bhaiya Ram Bhagat @ Rajvansh Bhagat S/o Ramakashish @ Ramakashish
Bhagat Resident of Village- Sukahra Dehri, Police Station- Nasriganj,
District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Nasriganj P.S. Case No. 190 of 2024 lodged on 07.06.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against the sole petitioner. Total recovery of 5 litres of country made liquor and 1.800 litres of foreign liquor have 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 submits that the alleged recovery has been made near the water tank and nothing has been recovered from the petitioner's



possession and his name has come in this case only by virtue of the disclosure made by *chowkidar*. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are three 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 three cases pending against him which is of Excise Act and the present case is also under Excise Act, therefore this aspect must be taken into consideration.

6. In the present facts and circumstances, 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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