

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30508 of 2025

Arising Out of PS. Case No.-200 Year-2021 Thana- GANDHIMAIDAN District- Patna

Gautam Raj S/o Late Jamun Sao R/o Mohalla- Gali No.1, Salimpur Ahra,
West behind Uma Cinema, P.S.- Gandhi Maidan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Gandhi Maidan P.S. Case No. 200 of 2021, dated 21.03.2021, lodged under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 375 ml country made foreign liquor has been made from waist of one Jitendra Kumar 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 one Jitendra Kumar in his confessional statement has disclosed the name of this petitioner due to which he has been implicated in the present case. Counsel also submits that



there is travel dispute between the parties. Counsel submits that nothing has been recovered from petitioner's possession.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has criminal antecedent of one case which is related to Excise Act.

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.

7. However, it is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering that whether ingredients of excise act is made out against petitioner or not, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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