

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60599 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- BARHIYA District- Lakhisarai

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RAMPRAVESH SINGH @ BECHAN SINGH SON OF LATE SHIBU
SINGH Resident of Village - Chetan Tola Khutha, Khuthadih, P.S. - Barhiya,
District - Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachina

For the Opposite Party/s : Mr.Md. Iftekhhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-02-2025

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Barhiya P.S. Case No. 105 of 2024 dated 26.04.2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amended).

3. As per the first information report, a total quantity of 14.895 liters of liquor has been recovered from the “Gumti” belonging to the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has committed no offence in the manner alleged. The petitioner has falsely been implicated in this case by the Police with oblique motive. No incriminating article and / or illicit liquor has been recovered from the conscious



possession of the petitioner. The Police during search and seizure did not follow the procedures prescribed under Section 100 Cr.P.C.

5. Regard being had to the submission made by the petitioner, taking into consideration the nature of allegation, the fact that illicit liquor has been recovered from the “Gumti” belonging to the petitioner constituting a *prima facie* case and in view of the Full Bench judgment of this Court passed in Cr. Appeal (SJ) No. 431 of 2019 (Ram Vinay Yadav versus The State of Bihar), I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

6. However, if the petitioner surrenders and seeks regular bail, it is expected that the learned court below may consider the prayer for bail on the same day without being prejudiced by the fact that the present anticipatory bail application has been rejected by this court.

(Anil Kumar Sinha, J)

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