

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51153 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- SABAUR District- Bhagalpur

Subhash Chandra Bhagat Son Of Ratnesh Bhagat Village- Paina, Ward No. 10,Ps- Chausa, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 15-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sabour P.S Case No. 102 of 2024 instituted for the offence punishable under Sections 30(a), 45 of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 220 litres of foreign liquor has been recovered from two four-wheeler vehicles on which apprehended persons were sitting and thereafter on search, seven mobile phones and cash of Rs. 13500/- have been recovered from their possession.

4. Learned counsel for the petitioner submits that



petitioner has not criminal antecedent except this case. He also submits that petitioner is innocent and he has not committed any offence. He has been falsely been implicated in this case.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that granting anticipatory bail to the petitioner may affect the investigation of this case.

6. From perusal of the F.I.R., seizure list, impugned order and case diary, it appears that petitioner is the owner of the one vehicle in question. *Prima facie*, it appears involvement of the petitioner in this case.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the present petition is barred by Section 76(2) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Mayank/-

U		T	
---	--	---	--

