

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52757 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- CHAPRA TOWN District- Saran

Laxami Narayan Prasad, male aged about 67 years, S/o Ram Narayan Prasad R/o Vill- Lah Bazar, P.S.- Town, Distt- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite

Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. Earlier the prayer for bail of the petitioner was dismissed as withdrawn by this Court vide order dated 29.11.2024 in Cr. Misc. No.43005 of 2024.

3. The petitioner apprehends his arrest in connection with Town P.S. Case No.90 of 2024 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. As per the allegation in the FIR, 420 liters of illicit country made liquor was recovered from a vehicle bearing Registration No. BR-04M-3443, which was being driven by



one, Kundan Kumar, who was being arrested by the police. Petitioner is the owner of the said vehicle.

5. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is not named in the FIR and name of the petitioner has been disclosed by the apprehended person, namely, Kundan Kumar. He next submits that the petitioner has sold the said vehicle to one, Pradeep Kumar Patel. He next submits that petitioner is a very old person and suffering from severe heart disease. He further submits that after selling the said vehicle, petitioner has no concern with the said occurrence. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

6. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

7. On perusal of the First Information Report and impugned order dated 14.05.2024, it appears that a huge quantity of illicit country made liquor has been recovered from inside the vehicle of the petitioner as well as the fact that at the time of alleged occurrence petitioner was the owner of the said vehicle and also the fact that all prosecution witnesses have also



supported the prosecution as mentioned in para no.2, 3 & 4 of the case diary, so considering all aspects of the case, I am not inclined to grant bail to the petitioner.

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

(Ramesh Chand Malviya, J)

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