

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58071 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- MADHWAPUR District- Madhubani

Sanjit Thakur Son of Tapeswar Thakur Resident of Village - Piraukhar Ward
No.02, P.S. - Madhwapur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sharda Kumari, APP

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

ORAL ORDER

2 17-01-2025 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 Madhwapur P.S Case No. 21 of 2024 instituted for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 90 litres of illicit liquor has been recovered from two motorcycles.

4. Learned counsel for the petitioner submits that petitioner has no criminal antecedent and he is not arrested on the spot. 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 motorcycle in question bearing Registration No. BR32AT-5972. *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 anticipatory bail 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)

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