

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67942 of 2024

Arising Out of PS. Case No.-315 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

Jamana Bai Gurjar @ Jamna Wife of Pushkar Lal Gurjar @ Pushkar Resident
of Village - Mota Devara Navaniya, P.S. - Vallabhnagar, District - Udaipur,
Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, 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 Buxar Industrial P.S Case No. 315 of 2023 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, total 6651 litres of illicit liquor has been recovered from the truck.

4. Learned counsel for the petitioner submits that petitioner has no 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 present petitioner is the registered owner of the truck 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, quantity of liquor seized, 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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