

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69325 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- KHODAWANDPUR District- Begusarai

Bablu yadav S/o Shankar yadav R/o Village- Balaha, P.S.- Hasanpur, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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

ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Khodawandpur (Chhourahi) P.S Case No. 21 of 2024 instituted for the offence punishable under Sections 467, 468 and 120(B)/34 of the Indian Penal Code and Sections 30(a), 32(1), 32(2) and 41(1) of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation in the FIR, total 1516.320 litres of foreign liquor has been recovered from a truck bearing registration no. UP14GT-2132.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next



submits that petitioner is named in the FIR and he has got three criminal antecedents in the same nature of the offence as stated in para-3 of the petition and he next submits that nothing has been recovered either from the conscious or constructive possession of the petitioner.

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 and impugned order dated 05.09.2024, it appears that petitioner has got three criminal antecedents in the same nature of the offence and the huge quantity of foreign liquor has been recovered from the said truck and the present petition is barred by Section 76 (2) of Bihar Prohibition and Excise Act, 2016, so I am not inclined to grant anticipatory bail to the petitioner.

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

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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