

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70720 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- JAYNAGAR District- Madhubani

Ashok Yadav S/o- Ram Shobhit Yadav Village- Simra P.S- Ladaniya District-
Mnadhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, 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 Jaynagar P.S Case No. 30 of 2024 instituted for the offence punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per allegation in the FIR, total 855 litres of illicit Nepali country made liquor has been recovered from a Scorpio vehicle bearing registration no.BR-01-EH-3672.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner has got four criminal antecedents, out of



which, three cases are same nature of the offence as stated in para-3 of the petition and also submits that there is no any incriminating articles of illicit liquor has been recovered from the conscious possession or house 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 04.09.2024, it appears that petitioner has got four criminal antecedents, out of which, three criminal antecedents in the same nature of the offence 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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