

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71280 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- PHULWARIYA District- Gopalganj

Vijay Kumar Raj Son of Ramprit Singh Resident of Village- Kerai, P.S
-Vibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, 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 petitioner apprehends his arrest in connection with Phulwariya P.S Case No. 63 of 2024 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per allegation in the FIR, total 93.06 litres of foreign liquor has been recovered from a Bolero vehicle bearing registration no.BR01HB-1471 and the petitioner is the registered owner of the said vehicle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner is not named in the FIR and nothing has



been recovered from the possession of the petitioner and he has got no criminal antecedent.

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 31.07.2024, it appears that the alleged foreign liquor was recovered from the registered owner of the said vehicle of the petitioner 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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