

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81460 of 2025

Arising Out of PS. Case No.-114 Year-2024 Thana- Rangara District- Bhagalpur

Ganesh Kumar son of shankar Singh Resident of Bond Dih Asli, Maricha,
P.S. -Muffasil, Dist-Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Bhardwaj, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-11-2025 Learned counsel for the petitioner submits that defect(s), as pointed out by the office, has already been removed.

2.Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest in Rangra P.S. case No. 114 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The present one is second anticipatory bail application filed on behalf of the petitioner. Earlier the anticipatory bail of the petitioner was rejected by this Bench vide order dated 11.04.2025 passed in Cr. Misc. No. 17167 of 2025 taking into account the facts and circumstances of the case



and criminal antecedents of the petitioner.

5. The prosecution case, in short, is that 457.920 liters foreign liquor was recovered from the pick-up vehicle.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Referring to the statement made in paragraph 10 of the present anticipatory bail application, learned counsel submits that the illicit liquor has been recovered from pick-up van and the name of the petitioner has transpired in this case as being owner of the said pick-up van and the said fact could not be brought to the notice of the fact in the earlier anticipatory bail application filed by the petitioner and, as such, the situation necessitated for filing of the present second anticipatory bail application. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has three criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that co-accused of this case has been granted regular bail by this Bench vide order dated 28.03.2025 passed in Cr. Misc. No. 19175 of 2025. He further submits that



present application is second anticipatory bail application which is not maintainable.

8. Considering the aforesaid facts and circumstances of the case and the fact that the present one is second anticipatory bail application of the petitioner, this Court does not find any fresh ground to reconsider the anticipatory bail application which is already rejected on merit.

9. The prayer is rejected. The petitioner is directed to surrender in the Court below within a period of four weeks and pray for regular bail. If any such application is filed, the same shall be considered on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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