

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89481 of 2024

Arising Out of PS. Case No.-318 Year-2024 Thana- AMNAUR District- Saran

Om Prakash Rai @ Biru Rai S/O Chandeshwar Rai @ Chandeshwar Prasad
Yadav R/O- Village Goraul, P.S.- Amnour, District- Saran.

... .. 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. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Amnour P.S. Case No.318 of 2024, registered for the offences punishable u/s 30(a), 33, 34 and 47 of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Altogether 1365 litres of spirit liquor is said to have been recovered from two pickup vans. Three co-accused persons were apprehended on the spot and some co-accused persons including the petitioner succeeded in fleeing away from the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical



possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case on the basis of the confessional statement of the apprehended co-accused. Petitioner has eight criminal antecedent out of which six are in similar nature of offence as mentioned in para 3 of the bail application.

5. Having regard to the facts and circumstances of the case and considering the criminal antecedent of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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