

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88041 of 2024

Arising Out of PS. Case No.-299 Year-2023 Thana- MANSI District- Khagaria

Sukhen Das S/o Bimal Chandra Das Resident of Bat Tala, Champasaraï,
Darjeeling, P.s. - Pradhan Nagar, Distt.- Darjeeling, W.B.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabish Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mansi P.S Case No. 299 of 2023 instituted for the offence punishable under Sections 30(a), 32(1)(2), 41 of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, it is alleged that petitioner has guided the path of the truck loaded with liquor.

4. Learned counsel for the petitioner submits that petitioner has no criminal antecedent except this case. He also submits that petitioner is innocent and he has not committed any offence. He has been falsely been implicated in this case.



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, impugned order and case diary, it appears that the mobile number 7908355097 in question belong to petitioner who is alleged to have guided the path of the truck loaded with huge quantity of total 2971.435 litre of illicit liquor. *Prima facie*, it appears involvement of the petitioner in this case.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the present petition is barred by Section 76(2) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner.

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

(Ramesh Chand Malviya, J)

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