

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89723 of 2024

Arising Out of PS. Case No.-760 Year-2024 Thana- ARA NAGAR District- Bhojpur

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Alok Guru Dayal @ Alok Gurudayal @ Alok Kumar, Son of Bharat Yadav @
Prithvinath Ray, R/O Village- Karja, P.S. Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-01-2025 1. Heard Mr.Diwakar, learned counsel for the

petitioner and Mr. Pradeep Narain Kumar, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Ara Town P.S. Case No. 760 of 2024 dated 19.11.2024
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment)Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of 100 litres of country made *Mahua* liquor from the
house of co-accused Chhote Sarkar and the petitioner has no
concern with the co-accused as well as his house and he has
been made accused only on the basis of disclosure made by the



people who gathered on seeing police party at the place of recovery.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides and perused the FIR. The instant matter relates to the recovery of 100 litres of country made *Mahua* liquor from the house of one Chhote Sarkar though the recovery place is not said to be belonging to this petitioner but as per the FIR, the petitioner is alleged to be involved in keeping, selling and trafficking the illicit liquor with co-accused persons and further, the petitioner has criminal antecedent of one case of similar nature and the case is under investigation, in my opinion, it is not a fit case for anticipatory bail to the petitioner and further the provision under Section 76(2) prohibits the relief of anticipatory bail. Accordingly, the petitioner's bail prayer stands rejected.

(Shailendra Singh, J)

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