

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89802 of 2024**

Arising Out of PS. Case No.-213 Year-2015 Thana- BHAGWANPUR District- Begusarai

Jagdish Sah S/O Late Baun Sah Resident of village - Lakhanpur. P.S-  
Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brajesh Kumar Singh

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

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**

ORAL ORDER

2      28-01-2025                      1. Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Bhagwanpur (Teyay O.P.) Police Station Case No. 213 of 2015, disclosing offences under Sections 273 of the Indian Penal Code and Sections 30(a), 30(b), 30(c), 47(a) of the Excise Act.

3. As per the prosecution case, informant during patrolling duty reached at Lakhanpur, saw that a tempo was standing there from which a person was unloading the carton who was caught by the police. He disclosed his name as Ranjeet Kumar and this apprehended person disclosed that he has kept the liquor in the house of Jagdish Saw, the petitioner. On search of Jagdish Sah's house, total 24 bottle of country made liquor was recovered.

4. Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged. He has falsely been implicated in the present case at the instance of his enemy in collusion with the police. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is a very old person suffering from kidney disease. Petitioner has been made accused on the basis of disclosure of his name by co-accused Ranjeet Kumar.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has been recovered from the house of the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, on the same day, without being prejudiced that anticipatory bail of the petitioner has been rejected by this Court.

**(Anil Kumar Sinha, J)**

HarshPandey/-

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