

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4998 of 2025

Arising Out of PS. Case No.-462 Year-2024 Thana- Excise P.S. District- Nalanda

Abhimanyu Ram S/o Arjun Ram R/o Village-Tufen ganj ,P.S-Rahui ,District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Bihar Case No. 462 of 2024 registered for the
offences punishable under Sections 30(a)(c) of the Bihar Excise
Act.

3. As per prosecution case, the police has recovered
total 157 liters of illicit spirit from the garage of the co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to dirty village politics. The petitioner was not arrested on
the spot. He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner is neither owner nor in any way concerned with the alleged garage or the seized car. The petitioner has also no concern with the spirit, in question. The name of the petitioner has transpired in this case on the basis of the disclosures made by the unknown person. The petitioner has three criminal antecedents out of which, in two of them, he is on bail as has been stated in paragraph no.3 of the present anticipatory bail application. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Shashi Kapoor has been granted regular bail by this Court vide order dated 18.12.2024 passed in Cr. Misc. No. 86664 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the petitioner has three criminal antecedents and, hence, he does not deserve privilege of anticipatory bail.

7. Considering the entire facts and circumstances of the case as also the petitioner having three criminal antecedents, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.



8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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