

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11912 of 2022**

Arising Out of PS. Case No.-431 Year-2021 Thana- JAHANABAD District- Jehanabad

KAMLESH YADAV Son of Suresh Yadav Resident of village - Mustichak,
P.S. Parasbigha, District - Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Excise Case No. 570 of 2021 arising out of Jehanabad P.S. Case No. 431 of 2021 pending in the Court of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Jehanabad in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2018.

It is a case of recovery of country made liquor from the two plastic dibba.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious or constructive possession of the petitioner.



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

In view of the fact that the petitioner has five criminal cases, out of which, four cases in the same nature of offences, as such, I am not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner is disposed of.

However, the petitioner is directed to surrender before the court below and pray for regular bail and the court below may consider his prayer for bail that petitioner has not been apprehended at the spot and nothing has been recovered from the conscious or constructive possession of the petitioner and pass order without being prejudiced by this order.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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