

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28996 of 2021

Arising Out of PS. Case No.-821 Year-2019 Thana- KUDHNI District- Muzaffarpur

SURENDRA RAI Son of Late Yogendra Rai Resident of Village - Sakari,
P.S.- Kurhani O.P., Turki, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Kurhani (Turki O.P.) P.S. Case No.821 of 2019, registered for the offences punishable under Sections 188 and 171 of the Indian Penal Code and Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 3.600 liters of foreign liquor has been recovered from the house of the petitioner kept beneath the *Chowki*. It is lastly submitted that the petitioner has got no criminal antecedent as stated in paragraph-



3 of the bail application.

The learned APP for the State opposes the prayer for anticipatory bail of the petitioner and submits that foreign liquor has been recovered from the house of the petitioner.

Taking into consideration the fact that foreign liquor has been recovered from the house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J.)

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