

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27199 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- LAKHNAUR District- Madhubani

1. Kailash Sah Son of Shiv Shankar Sah Resident of Village - Pipra Ghat, P.S.- Lakhnaur, District - Madhubani.
2. Rupesh Sah Son of Upendra Sah Resident of Village - Pipra Ghat, P.S.- Lakhnaur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-08-2022 At the outset, counsel for petitioners seeks permission to withdraw this anticipatory bail application with respect to Rupesh Sah petitioner no. 2, as during pendency of this case, petitioner no. 2 has already been arrested.

Prayer is allowed. The anticipatory bail application with respect to petitioner no. 2 is dismissed as withdrawn having become infructuous.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner apprehends his arrest in Lakhnaur (RSOP) P.S. Case No. 51 of 2022, registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code



and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

603 litres of illicit liquor has been recovered from the bank of a river.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Recovery has been made from open place and petitioner has got no concern with the alleged recovery.

Counsel for the State vehemently opposed the bail application and submitted that petitioner has got criminal antecedent of similar nature.

Considering the criminal antecedent of petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail.

Accordingly, the prayer for anticipatory bail is rejected.

(Prabhat Kumar Singh, J)

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