

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27297 of 2022

Arising Out of PS. Case No.-726 Year-2021 Thana- MASAUDHI District- Patna

Puttu Yadav @ Puttu Kumar Son Of Ramashish Yadav R/O Village-
Mahuabagh, P.S.- Punpun, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.
Dr. Kumar Uday Pratap, Adv.
Ms. Hastina Pratap, Adv.

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case in connection with Masauhi P.S. Case No. 726 of 2021 registered for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition & Excise Act.

There is recovery of 362.88 litres of Indian made foreign liquor from different vehicles. Four persons were apprehend from spot. One person among apprehended person, namely, Mukesh Kumar disclosed the name of the petitioner as one of his associates.

It is submitted by learned counsel for the petitioner



that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized illicit liquor or with the vehicles in question. The name of the petitioner sprang up in this case only on the confessional statement of co accused Mukesh Kumar.

Learned APP appearing on behalf of the State vehemently opposed the prayer of petitioner and submitted that petitioner has four antecedents of similar nature.

Considering the fact that petitioner is accused in four other cases apart from the present one, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for grant of anticipatory bail to the petitioner stands rejected with a liberty to the petitioner to surrender before learned Court below and pray for regular bail. The learned Court below may consider the prayer for regular bail of the petitioner, keeping in view the facts discussed above and without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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