

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37905 of 2021

Arising Out of PS. Case No.-390 Year-2020 Thana- SURSAND District- Sitamarhi

PANKAJ KUMAR S/o Raj Kishore Panjiyar Resident of Village- Sahsaram,
P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuber Pathak

For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-02-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sursand P.S. Case No. 390 of 2020 instituted for the offences under Sections 414, 467, 468, 471 and 120(B) the Indian Penal Code and Sections 30(a), 36, 41 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Though the accusation against the petitioner is only based on confession of an arrested accused person and nothing has been recovered from his possession but I am not inclined to grant anticipatory bail to him for the reason that



he was earlier made accused in a case of similar nature.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, his application shall be considered on its own merits taking into account the fact that the persons who were named in confession and from whose possession liquor was recovered have been granted anticipatory bail by different Benches of this Court and the court below shall pass orders in accordance without law, without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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