

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34038 of 2022

Arising Out of PS. Case No.-223 Year-2020 Thana- KHAJANCHI HAT District- Purnia

Shankar Mukhiya Son Of Late Sainy Mukhiya R/O Village- Garbanaili, P.S.-
Kasba, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 78.180 litres of Indian made foreign liquor from the house of Dipak Kumar Singh @ Kanhaiya. He disclosed the name of the petitioner as his associate.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the



spot. Nothing was recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized illicit liquor or the apprehended accused. A statement has been made in para 3 of the petition that petitioner is accused in three other cases of similar nature.

Considering the fact that petitioner is accused in three other cases of similar nature, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the petition is disposed off 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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