

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47223 of 2022**

Arising Out of PS. Case No.-513 Year-2020 Thana- KANTI District- Muzaffarpur

Sunil Rai @ Sunil Kumar Sonof Umesh Ray Resident Of Village - Madhuban
, P.S.- Kanti, Distt.- Muzaffarpur.

..... Petitioner/s

Versus

The State Of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

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

The petitioner is apprehending his arrest in a case in connection with Kanti P.S. Case No. 513 of 2020 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 7240 litres of spirit from a pickup van.

Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioner. It is also submitted that the petitioner has no concern either with the seized spirit or with the vehicle



in question. It is further submitted that petitioner was not apprehended from spot and on the basis of disclosure of Chowkidar and co-villagers the name of the petitioner came in light.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer of the petitioner and submitted that petitioner has 3 antecedents of similar nature.

Considering the fact that petitioner is regular offender and he has three antecedents of similar nature, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of this court.

(Sunil Kumar Panwar, J)

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