

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62141 of 2021

Arising Out of PS. Case No.-433 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. VED PRAKASH @ SAHIL KUMAR Son of Vinay Ray Resident of Village - Lal Pokhar Dighi, P.s.- Hajipur Sadar, Distt.- Vaishali.
2. Pentar @ Ajit Kumar Son of Bishnu Rai @ Bhishan Ray Resident of Village - Lal Pokhar Dighi, P.s.- Hajipur Sadar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Hajipur Sadar P.S. Case no. 433 of 2021 instituted for the offence punishable under Section 414, 420 and 30(a), 36 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 1706.760 litres of IMFL from Tata 407 vehicle bearing registration no. UP-16BT-1671.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely



implicated in this case. Petitioners have no concern either with the alleged recovery or with the vehicle in question.

Learned APP appearing for the State has opposed the prayer of bail and submitted that both of the petitioners are habitual offender as against the petitioner no. 1, five excise cases are pending and six excise cases are pending against petitioner no. 6. It is not a fit case to grant them privilege of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that both the petitioners are habitual offender, I am not inclined to grant bail to them and, as such, his prayer for bail stands rejected.

This application is disposed of.

However, if the petitioners surrender and pray for regular bail, the same may be considered by the court below keeping in view that nothing has been recovered from their conscious possession.

(Sunil Kumar Panwar, J)

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