

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53370 of 2022

Arising Out of PS. Case No.-341 Year-2021 Thana- NOORSARAI District- Nalanda

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AMARJIT @ AMARJIT KUMAR @ AJIT YADAV Son of Raj Kumar Yadav
R/O Village - Mathurapur, Parasi, P.S.- Noorsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

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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 instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Noorsarai P.S. Case no. 341 of 2021 instituted for the offence punishable under Section 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 10 litres country made wine from bank of Shisha river.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Petitioner has no concern with the alleged recovery of illicit wine or with the place of occurrence.



Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the petitioner has got total four criminal antecedents out of which three are similar in nature.

Having heard learned counsel for the parties and taking into consideration that petitioner has got 3 criminal antecedents of similar in nature, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

This application stands disposed off.

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 rejection.

(Sunil Kumar Panwar, J)

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