

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57228 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- CHANAN District- Lakhisarai

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KHELO YADAV S/o Munilal Yadav Resident of Village- Jankidih, P.S.-
Chanan, District- Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mayank Bilochan

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 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 Chanan P.S. Case no. 117 of 2022 instituted for the offence punishable under Sections 30(a)(b)(c) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 60 litres country made liquor from two motorcycles.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. 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 four criminal cases are pending against the petitioner out of which three are of excise Act.

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

The 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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