

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61974 of 2022

Arising Out of PS. Case No.-263 Year-2022 Thana- UCHKAGAON District- Gopalganj

Bablu Singh @ Babalu Singh Son Of Ramayan Singh R/V- Thakurai Bairiya,
P.S- Uchkagaon, Dist- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Uchkagaon P.S. Case no. 263 of 2022 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 612 litres country made liquor from two different vehicles.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. It is further submitted that the name of the petitioner came into light of confessional statement of apprehended co-accused. He has no concern either with the



vehicles in question or with the alleged recovery of liquor. 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 nine criminal antecedents out of which eight are similar in nature.

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

(Sunil Kumar Panwar, J)

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