

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4812 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- SARAI RANJAN District- Samastipur

MANJAY LAL YADAV @ MANJAY LAL RAY S/o Late Muni Lal Ray R/o
Village- Shitalpatti, P.S.- Sarairanjan, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-04-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Sarairanjan P.S. Case No.365 of 2022, registered for the offence punishable under Sections 147, 148, 149, 332, 307, 353, 504, 420, 467, 468, 471 of the Indian Penal Code and u/s 30(a), 32(1), 32, 36(b), 41(1), 45, 62 of Bihar Excise Act.

Altogether, 2755.906 liter of foreign liquor has been recovered from five different motorcycles.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case at the instance of his enemies. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner was



neither apprehended on the spot nor any discriminating article has been recovered from his conscious possession. He further submits that the petitioner has no concern with the alleged recovery of liquor or from the seized vehicles. Petitioner has seven criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is a habitual offender as he has seven criminal antecedent of similar nature.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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