

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17659 of 2023**

Arising Out of PS. Case No.-403 Year-2019 Thana- MUZAFFARPUR SADAR District-  
Muzaffarpur

=====

Chunnu Thakur S/O Late Kailash Thakur Resident Of Village- Gannipur, P.S.-  
Kazi Mohammadpur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Nityanand

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      06-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 414 and 120(B) of the Indian Penal Code and Section 25(1-B)A, 26(ii) and 35 of the Arms Act pending in the learned court below.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is no recovery of any liquor or any incriminating articles from the conscious possession or from the house of the petitioner. He submits that according to F.I.R., the so-called recovery of liquor and arms and ammunition have been made from the flat taken on rent by the accused Rajiv Kumar @ Jubli in Kachi-Pakki Mohalla. He



further submits that the apprehended persons did not confess anything before the police about the involvement of the petitione~~r~~n in doing the illegal business of liquor but the police in their own way in the written report added the so-called confession that they are doing the illegal business of liquor with this petitioner. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposes the bail application and submits that on the confessional statement of the co-accused the name of the petitioner is transpired in this case. He relied upon the judgment of Hon'ble Apex Court passed in the case of "***Indresh Kumar vs. The State of U.P. & nAnr. (Criminal Appeal No.938/2022)***". Hence, he does not deserve anticipatory bail.

Considering the material available in the case diary and judgment of the Hon'ble Apex Court passed in *Indresh Kumar (supra)* case, I am not inclined to enlarge the petitioner on bail in connection with Muzaffarpur Sadar P.S. Case No. 403/2019. Accordingly, his prayer for anticipatory bail is hereby rejected.

**(Anjani Kumar Sharan, J)**

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