

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38132 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- MANIGACHI District- Darbhanga

Kaushlendra Kumar Yadav @ Kaushlendra Yadav S/O Dileep Yadav R/O
Village- Chak Chintamanipur, Ps. Manigachhi (Nehra O.P), Dist. Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Manigachhi (Nehra O.P.) P.S. Case No. 42 of 2023 registered for the offences punishable under Sections 467, 468, 471, 420, 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, pending in the Court of learned Special Judge Excise 2nd, Darbhanga.

3. As per the prosecution case, it is alleged that 6899.655 litres of liquor was recovered from the place of occurrence and on seeing the police, people there trying to runaway but five person were chased and apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is not named in the F.I.R., the petitioner has been made accused in the present case on the basis of confessional statements of apprehended persons. The petitioner has six criminal antecedents as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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