

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45103 of 2023

Arising Out of PS. Case No.-352 Year-2021 Thana- SONO District- Jamui

RAKESH KUMAR S/O JAGDISH YADAV R/O VILLAGE- JP HOSPITAL
PANCH MANDIR ROAD NEAR EKLAVYA COLLEGE, BODHWAN
TALAB, JAMUI, PS. JAMUI, DIST. JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Sono Charkapathar P.S. Case no. 352 of 2021 for the offence registered under Sections 272 and 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act lodged on 06.12.2021 by the informant, Raja Ram Sharma.

As per the prosecution story, the allegation is that two persons on motorcycle were intercepted while one was apprehended the other escaped and 71 liters of country made liquor was recovered. Accordingly, the FIR.

Learned counsel for the petitioner submits that he is the owner of the motorcycle given to his friend Mukesh Yadav



which was being used for illegal work and he has been dragged in the case. Further submission is that he do not have criminal antecedent.

Learned APP for the State opposes the prayer for bail and submits that he has two copies of anticipatory bail application has been filed one being Chanan P.S. Case No. 43 of 2019 under Section 30 (a) of the Bihar Prohibition of Excise Act when he already having two cases filed before this Court how come paragraph -3 show that he has no criminal antecedent.

Considering that the petitioner has concealed the fact that he has criminal antecedent, on this ground alone, his anticipatory bail application stands rejected.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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