

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42746 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Suraj Bahardar Alias Suraj Kumar Bahardar Son Of Dinesh Kumar Bahardar
Alias Dina Lal Bahardar Resident Of Village - Kanhaiyabari Godi Tola, P.S. -
Kochadhaman, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Kochadhaman P.S. Case No. 86 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, of the Indian Penal Code pending in the Court of learned Additional District Judge, 2nd Special Judge Excise-1, Kishanganj.

3. As per the prosecution case, allegation against the petitioner is of recovery of 39 liters of country made liquor from the house of co-accused, Dinesh Kumar Bahardar.

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 nothing has been recovered from the conscious possession of the petitioner. The petitioner is the son of co-accused, Dinesh Kumar Bahardar. The petitioner has two criminal antecedents of similar nature 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 involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the fact that petitioner has two criminal antecedents of similar nature, 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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