

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53176 of 2023

Arising Out of PS. Case No.-248 Year-2023 Thana- MADANPUR District- Aurangabad

=====

Bulli Chouhan @ Sudina Noniyan (Sudina Noniya), Male, aged about 40 years, Son of Ram Narayan Noniya, Resident of Village- Jamua P.S.- Madanpur District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Madanpur P.S. Case No. 248 of 2023 dated 06.06.2023 instituted for offence punishable under Sections 30(a), 34 and 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 525 liters of illicit liquor from the Scorpio vehicle and the allegation against the petitioner is that he fled away from the spot during raid.

4. Learned counsel for the petitioner submits that petitioner was neither apprehended on the spot nor any concerned with the recovered liquor. He is neither the owner



nor the driver of the vehicle. He has been falsely implicated in this case. Learned counsel for the petitioner further submits that only on the basis of criminal antecedent, petitioner cannot be denied the anticipatory bail. Petitioner has involved in twelve heinous cases.

5. Learned APP for the State vehemently opposes the prayer for anticipatory bail and submits that the petitioner is named accused who is a habitual offender having twelve cases against him out of which seven cases are of excise cases. The learned Court below found prima facie case against the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also considering that petitioner has involved in twelve heinous offences and he is an habitual offender, this Court does not inclined to grant anticipatory bail to the petitioner and the application is accordingly, dismissed.

(Sunil Dutta Mishra, J)

Anand Kr.

U		T	
---	--	---	--

