

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69045 of 2023

Arising Out of PS. Case No.-95 Year-2020 Thana- PIPRA District- East Champaran

Jai Charan Mukhiya @ Jai Charan Mukhia S/O Gujur Mukhiya R/O Village-
Kuarpur, P.S- Pipra, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable Sections 272, 273/34 of the IPC and Sections 30 (a), 38(1) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 20 liters of country made liquor along with 100 liter raw material are said to have been recovered from the place of occurrence. Petitioner has four criminal antecedents of similar nature as mentioned in para-3 of this application.

4. However, learned APP for the State opposes the



prayer for bail.

5. Considering the facts and circumstances of the case and the fact that the petitioner has four criminal antecedents of similar nature, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Pipra P.S. Case No. 95 of 2020.

6. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below in accordance with law.

(Anjani Kumar Sharan, J)

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