

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37525 of 2024

Arising Out of PS. Case No.-37 Year-2022 Thana- RAHIKA District- Madhubani

Md Khursheed @ Chunnu Son of Late Saffur Rahman Resident of Village-
Rahia near Petrol pump, P.S- Rahika, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesah Sah

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Rahika P.S. Case No. 37 of 2022 instituted for the offences under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, in short, is that, total 1260.36 liters of foreign liquor has been recovered from a pick-up van.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has come into light on the basis of secret information. Petitioner has no



concern with the alleged recovery of liquor. No incriminating article has been recovered from the conscious possession of the petitioner. Moreover, petitioner has five criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the FIR and having five criminal antecedents of similar nature. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner having five criminal antecedents of similar nature, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected.

8. However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the Court below on its own merit without being prejudiced by this order of rejection.

(Rudra Prakash Mishra, J)

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