

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44630 of 2024

Arising Out of PS. Case No.-423 Year-2023 Thana- SARAIYA District- Muzaffarpur

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Randhir Kumar @ Randhir Rai S/o Baliram Rai Resident of Village-
Manikpur, P.S.-Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Saraiya P.S. Case No.423 of 2023, registered for the offence punishable under Sections 272, 273, 420, 120(B) and 34 of the Indian Penal Code and 30(a), 32(3), 36, 41(1) and 41(2) of Bihar Prohibition of Excise Act.

3. As per the FIR, 4200.00 litres of illicit liquor was recovered from a tanker. One person was apprehended on the spot and he disclosed the name of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no recovery from the conscious possession of the petitioner.



Petitioner has five criminal antecedents of similar nature.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that earlier the bail application of the petitioner was rejected by this Court by a reasoned and speaking order and this is the second attempt of petitioner for anticipatory bail.

6. Having regard to the facts and circumstances of the case and in view of the recent decision of the Supreme Court in the case of **G.R. Ananda Babu vs. State of Tamil Nadu and Another reported in 2021 SCC Online SC 176**, this second anticipatory bail application is not maintainable. It is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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