

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45021 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Kunal Kumar Rai Son of Late Binda Rai Resident of Village - Uttari
Dhamaun, Police Station - Shahpur Patori, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 1.620 litres Indian made foreign liquor has been recovered from motorcycle of this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated merely because he happens to be registered owner of the vehicle in question. No incriminating article has been recovered from the conscious possession of this petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner



and submitted that illicit liquor has been recovered from a motorcycle of which this petitioner is registered owner. It is further submitted that petitioner has also got three criminal antecedents of similar nature.

6. Considering the aforesaid facts and circumstances, nature of accusation, the fact that illicit liquor that has been recovered from a vehicle of which this petitioner is registered owner and the fact that petitioner has also got three criminal antecedents of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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