

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67551 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- KASBA District- Purnia

Mithu Sarkar @ Mitu sarkar Son of Late Mahadev Sarkar Resident of
Chandani Chowk, Kasba, P.S.- Kasba, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Kasba
P.S. case No. 89 of 2024 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that the
6.080 liters liquor was recovered from the co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no
knowledge and concern with the alleged recovery of liquor.



There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that the petitioner has 10 criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has as many as ten criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioner.

7.The Prayer is rejected.

(Rudra Prakash Mishra, J)

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