

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70401 of 2024

Arising Out of PS. Case No.-158 Year-2023 Thana- GANGABRIDGE District- Vaishali

Bandhan Kumar @ Krishna Kumar @ Bandhan Son of Umesh Singh R/O-
Sahdullahpur P.S- Ganga Bridge, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ganga Bridge P.S. Case No. 158 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered total 1251.225 liters of illicit India made foreign liquor from the pickup van bearing Regd. No. BR01GL 5626.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the



present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has altogether eleven (11) criminal antecedents as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the co-accused persons or the seized liquor or even the seized vehicle. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Chunnu Kumar @ Baba has been granted regular bail by this Court vide order dated 05.04.2024 passed in Cr. Misc. No. 26160 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the petitioner is named in the F.I.R. and has altogether eleven criminal antecedents and, hence, does not deserve privilege of anticipatory bail.

7. Considering the entire facts and circumstances of the case and specially the petitioner having eleven



criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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