

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67595 of 2024

Arising Out of PS. Case No.-44 Year-2023 Thana- SAUR BAZAR District- Saharsa

Karn Kumar Raju @ Raja @ Raja Yadav S/o Binod Kumar Yadav R/o
village-Sahugarh (Saugadh) Diwani Tola, ward no. 13, P.S.-Madhepura,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the IPC and under Section 25(1-B) a, 26, 35 of the Arms Act and under Section 30(a), 41(1), 47 of the Bihar Prohibition and Excise Act in connection with Sourbazar P.S. Case No.44 of 2023.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of five cases and allegation is of recovery of 429.12 liters of liquor from two vehicles as detailed in the FIR along with a countrymade pistol and three live cartridges from the possession of Kranti Sharma.

4. The learned counsel for the petitioner submits that



petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated based on confessional statement of Kranti Sharma in police custody which does not have any evidentiary value.

5. The learned APP, Mr. Chandra Bhushan Prasad for the State opposes the anticipatory bail application and submits that the petitioner has antecedent of five cases and earlier also he was implicated in case relating to excise and his name transpired in the confessional statement of the co-accused, but then the investigation is in its nascent stages and if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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