

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75638 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- MEHSI District- East Champaran

1. Subodh Kumar Son of Bindeshwari Rai Resident of Village - Manjhan Chapra, P.S. - Mehsi, District - East Champaran
2. Raj Kumar Yadav @ Gulten Rai @ Raju Rai @ Raju Kumar Yadav Son of Shivkumar Rai Resident of Village - Rampur Shankar, P.S. - Mehsi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Mehsi P.S. Case No.127 of 2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 1719 liters of foreign liquor has been the subject of the present case.

4. Learned Counsel for the petitioners submits that petitioners are innocent and have committed no offence. Counsel submits that except confessional statement there is no material against the petitioners to show their complicity in the



alleged occurrence. Counsel submits that criminal antecedent of the petitioners are not clean. There are three criminal cases pending against the petitioners in which they are on bail.

5. Learned Additional Public Prosecutor appearing on behalf of the State opposes the prayer for anticipatory bail and submits that criminal antecedents of the petitioners are not clean. There are three criminal cases pending against the petitioners.

6. Considering the criminal antecedents of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioners within four weeks from today, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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