

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76903 of 2024

Arising Out of PS. Case No.-304 Year-2021 Thana- FATUA District- Patna

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Suman Kumar @ Suman Yadav Son of Chandev Yadav R/O Vill.-
Bhagwanpur, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-11-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Fatuha PS case no. 304 of 2021, disclosing
offences punishable under Sections 30(a)/56(c) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.
3. The prosecution story, as per the First Information
Report, is that on 26.04.2021 at 7.40 am, informant along with
police personnel, on secret information that the petitioner was
preparing illicit wine at the bank of Punpun river, reached at the
place of occurrence. On seeing police party, petitioner fled
away, however 50 liters of Mahua wine was recovered.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case and



nothing has been recovered from his possession. Learned counsel further submits that the alleged liquor was recovered from public place and petitioner has no concern with it. He also submits that petitioner is accused in three cases of the similar nature but he is on bail in all the cases.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact the petitioner is having criminal antecedents of similar nature of offence and appears to be habitual offender, I am not inclined to grant the privilege of anticipatory bail to him. Accordingly, the prayer of petitioner for grant of anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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