

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78059 of 2024

Arising Out of PS. Case No.-465 Year-2024 Thana- KANTI District- Muzaffarpur

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Sunil Rai @ Sunil Kumar @ Sunil Ray S/O Umesh Rai @ Umesh Ray R/O
Vill. Madhuban, P.S - Kanti, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-11-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. These applications, for grant of anticipatory bail, arise out of Kanti PS case no. 465 of 2024, disclosing offences punishable under Section 317(5) of B.N.S. Act, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act (Amendment), 2022.
3. The prosecution story, as per the First Information Report, is that on 27.08.2024 at about 01.20 hours, upon secret information that illicit liquor is being unloaded from a pick-up van at village- Madhuban Pakri, the informant along with police party reached at the place of occurrence and saw that two persons came out of the van and they succeeded in fleeing away. Upon search, total 1442.52 liters of illicit foreign liquor was



recovered. During investigation, it revealed that recovered illicit belonged to the petitioner and his associates.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on account of his past criminal antecedents of similar nature of offence. Learned counsel further submits that neither the petitioner is owner nor the driver of the seized pick-up van and he was not apprehended from the spot. He also submits that illicit foreign liquor has not been recovered from the conscious possession of the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that 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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