

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85236 of 2024

Arising Out of PS. Case No.-327 Year-2021 Thana- BAISI District- Purnia

Sanjeev Kumar Yadav Son of Hiranman Yadav Resident of Village
-Jaisinghpur Chiutahi, P.S. - Turkauliya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Baise P.S. Case No. 327/2021 registered for the offences punishable under Sections 272, 273, 414, 34 of Indian Penal Code and Sections 30(a), 41, 47 of the Bihar Prohibition & Excise Act, 2016.

3. As per prosecution case, there is alleged recovery of total 1800 liter foreign liquor from a truck in question. It is further alleged that co-accused Sherdin (driver) alongwith Veer Kishore (co-driver) was apprehended on the spot. It is further alleged that the said co-driver disclosed that petitioner made him to sit in the truck in question and asked him to deliver the illicit liquor to Piprakothi.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as



alleged in the FIR and he has falsely been implicated in this case. The petitioner is neither owner nor driver of the said truck in question. The petitioner is not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioner. He further submits that except disclosure of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner bears criminal antecedent of ten cases of similar nature and in all cases he is on bail. The petitioner is not in any way connected with the alleged occurrence.

3. Learned APP for the State opposed the prayer of anticipatory bail of the petitioner, keeping in view petitioner having criminal antecedent of series of cases of similar nature.

4. Considering the facts and circumstances of the case, petitioner having criminal antecedent of series of cases of similar nature, I am not inclined to grant privilege of anticipatory bail to petitioner.

5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Alok Kumar Pandey, J)

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