

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87496 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- Excise P.S. District- Supaul

Sunil Kumar S/o- Shri Mahendra Yadav Village- Chainsingh Patti ward no 8,
Po and PS-Supaul District- Supaul

... .. Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Supal P.S. Case No. 245 of 2024 registered for the offences
punishable under Section 30(a) of the Indian Penal Code.

3. The prosecution case, in short is that 164.625 litres
liquor was recovered from car. Petitioner is said to have fled
away from the spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern and knowledge with the alleged recovery of liquor. Petitioner bears three criminal antecedents, on which he is on bail in all cases. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted regular bail by this Court *vide* order dated 11-12-2024, passed in Cr. Misc. No. 84747 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner bears three criminal antecedents, hence, he does not deserve the privilege of anticipatory bail.

6. Considering the rival submissions made by the learned counsel for the parties and specifically keeping in view, the three criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail of the petitioner is *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays



for regular bail, the same shall be considered by the court below
in accordance with law without being prejudiced by the order of
this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

