

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88540 of 2024

Arising Out of PS. Case No.-414 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Suresh Singh @ Mutur Singh S/O Shankar Singh R/O Village- Ashni, P.S-
Udwant Nagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

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

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Udwantnagar P.S. Case No. 414 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 112 litres of liquor has been recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the name of the petitioner has transpired only because he happens to be



the owner of the vehicle in question and has no knowledge regarding the goods loaded in the vehicle. The petitioner has four criminal antecedents but he is on bail in all the cases. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also taking into account the large criminal antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Prayer for anticipatory bail is *rejected*.

7. However, liberty is granted to the petitioner to surrender within a period of six weeks before the learned court below and seek regular bail.

(Rudra Prakash Mishra, J)

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