

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47236 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -DERNI District- SARAN

Matuk Sahani, S/o Budar Sahani, resdient of Village- Nautan Mathia, P.S.-
Amnour, District- Saran at Chhapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.52427 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -DERNI District- SARAN

Rajesh Kumar, S/o Late Lakshman Rai, resident of village - Khori Pakar,
P.S. Amnour, District - Saran at Chhapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.47236 of 2015)

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate.

For the Opposite Party/s : Mr. Anil Prasad Singh (APP)

(In Cr.Misc. No.52427 of 2015)

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate.

For the Opposite Party/s : Mr. Arvind Kr.Pandey(APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 27-01-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Derni P.S. Case No. 79 of 2015 registered under Sections
272, 290 of the Indian Penal Code and Section 47A of the Excise
Act, pending in the court of Chief Judicial Magistrate, Saran at

Chapra.

The accusation is of recovery 54 piece bottle of liquor in 25 cartoons from the pickup van bearing registration no. BR-1AM-6255, which is said to be owned by petitioner, Matuk Sahni is the owner and driven by petitioner, Rajesh Kumar.

Learned counsel for the petitioners submits both the petitioners, who are owner and driver of vehicle seized by the police, have falsely been implicated in this case due to none paying the amount as demanded by the police. It is further submitted that in the seizure list the description of the vehicle has not been detailed rather the place of recovery of alleged seized liquor has been detailed.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within six weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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