

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26608 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- RAJPUR District- East Champaran

Vijay Mahto @ Vijay Kumar, Son of Ram Narayan Prasad @ Narayan Mahto,
resident of village - Siraha, Police Station - Pakari Dayal, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Mr. Pankaj Kumar Das, Advocate
For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 22-05-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Rajepur P.S. Case
No. 20 of 2018 instituted for the offence under Sections 302,
120(B),414/34 of the IPC and Sections 30 (a), 45 of the Bihar
Prohibition and Excise Act, 2016.

It is alleged in the written report, that on confidential
information that smuggling of illegal liquor is going on in two
vehicles, the police party reached at the place of occurrence
there and gave signal to stop the vehicle. They were able to stop
Honda City Car. The driver of the Honda City car managed to
run away. But one person sitting in that car was apprehended,
who disclosed his name as Jasmindar Kumar. The police gave
signal to stop the another vehicle but the owner and driver of
the vehicle did not stop the vehicle. The owner told the driver



to run away even after crushing the police. Thereafter, the driver put back gear in the vehicle and fled away after crushing SAIF Jawan who died during course of being taken to hospital. The apprehended person Jasminder Kumar disclosed before the police the name of owner of another vehicle as Vijay Mahto (Petitioner). He also disclosed before the police the name of driver of another vehicle as well as name of other accused persons who indulged in smuggling of foreign liquor. The police seized huge quantity of foreign liquor from Honda City Car as mentioned in the written report.

In this manner, from the written report, it appears that petitioner is involved in smuggling of liquor with other accused person. He is owner of the Scorpio vehicle which dashed SAIF constable with intention to kill. The SAIF constable died during course of taking to hospital.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, this anticipatory bail petition stands rejected.

(Sanjay Priya, J)

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