

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8828 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- DEODHA District- Madhubani

Shyam Sundar Gohiwar Son of Ram Narayan Gohiwar Resident of Village-
Ushrahi, Police Station- Deodha District- Madhubani

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate.
For the State : Mr. Dashrath Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Deodha P.S. Case No.73 of 2018 registered under Sections 272 and 273 of the Indian Penal Code besides Section 30(a) of the Bihar Wine Prohibition and Excise Act, 2016, pending in the court of the 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani.

The accusation is that in course of patrolling duty by the police, two persons were seen on two motorcycles. On seeing the police party, both persons started to flee away, leaving the motorcycles. While they were chased but they succeeded to flee away. On search, 175 bottles, each containing



300 ml. Nepali liquor, kept in a bag, from the blue colour Pletina Bajaj motorcycle, whereas 175 bottles, each containing 300 ml. Nepali liquor, kept in a bag, from the black colour pulser motorcycle, were recovered.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the owner of black colour pulser motorcycle from which 175 bottles, each containing 300 ml. Nepali liquor, kept in a bag, were recovered.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall 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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