

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8567 of 2019

Arising Out of PS. Case No.-263 Year-2018 Thana- ADAPUR District- East Champaran

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1. Mandip Kumar Son of Krishna Rai
 2. Sanoj Kumar Son of Ram Ayodhya Rai
 3. Arshad Alam Son of Rojaddin Miyan
- All Residents of Village -Tikuliya, Police Station – Adapur, District – East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-02-2019 This application, for grant of anticipatory bail, arises out of Adapur P.S. Case No. 263 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is that police intercepted two cyclist carrying four jute bags and on seeing the police, the cyclist fled away, leaving behind the jute bags and on search of the bags, total 96 litres of liquor were recovered. Apart from that, it appears that petitioner nos. 1 and 2 are accused in one more case of similar nature, whereas, petitioner no. 3 is accused in two more case of similar nature.

Submission of learned counsel for the petitioners is



that they have falsely been made accused in this case and their names have been disclosed by the chowkidar and in fact nothing has been recovered from the petitioners.

Heard learned A.P.P. also.

Having heard both sides, in view of the allegation as well as the criminal antecedents of the petitioners, I am not inclined to grant the privilege of anticipatory bail to them rather they should surrender before the court below and pray for regular bail and if any such application is filed, the court below shall dispose of the same on the merit of the case, without being prejudiced by the order of this Court.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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