

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21032 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- KEWATI District- Darbhanga

=====

MOHAN KUMAR YADAV(Male), aged about 25 years, Son of Suresh Yadav
Resident of Village - Baidol, P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Arun Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-04-2019 Heard both sides.

The petitioner apprehends his arrest in G.O. Case No.1020 of 2018 arising out of Keoti P.S. Case No.193 of 2018 registered under Sections 223 and 224 of the Indian Penal Code, Section 37(c) of Bihar Prohibition and Excise Act and Section 185 of Motor Vehicle Act.

The gist of the allegation is that the petitioner and two others were apprehended while they were going on a motorcycle after drinking liquor. The petitioner was tested by breath analyzer and the report was found positive but the petitioner managed to flee away from the custody of police.

The learned counsel for the petitioner submits that the petitioner was not apprehended by the police but it appears from the first information report itself that the petitioner and two



others apprehended by the police. Thereafter, breath analyzer test was held but during that period, the petitioner managed to flee away. Once the petitioner was arrested by the police and he fled away from the custody of police, the question of anticipatory bail does not arise.

Accordingly, anticipatory bail petition of the petitioner is rejected.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

