

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39785 of 2019

Arising Out of PS. Case No.-15 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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DEVANAND RAI S/o Bhuneshwar Ray @ Bhuneshwar ray Resident of
Village- Harpur Junaida, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitu Kumari
For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 15-11-2019 This application, for grant of anticipatory bail,

arises out of Dumariyaghat P.S. Case No. 15/2018, disclosing

offences under Sections 272, 273 of the Indian Penal Code and

Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

Allegation as per F.I.R. is that a truck was intercepted

and recovery of huge quantity of liquor was made and the

apprehended driver of the truck disclosed that petitioner and

other co-accused handed over the liquor to him for supply.

Apart from that petitioner has mentioned in his petition that he

is accused in one more case of similar nature, though from the

case diary, it appears that he is accused in five other cases.

Submission of learned counsel for the petitioner is

that he has filed supplementary affidavit with respect to criminal



antecedent of the petitioner and so far allegation in the present case is concerned, he has been made accused in the confession of co-accused and except that there is nothing against him.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances and the criminal antecedent of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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