

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30227 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- WARISNAGAR District- Samastipur

VINOD MISHAR, Son of Vateshwar Mishar, Resident of Village- Sormar,
Jagdish Paran, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-07-2019 Petitioner seeks bail in anticipation of his arrest in connection with Warisnagar P.S. Case No. 54 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution story is that police intercepted one Maruti Alto vehicle and one person succeeded in fleeing away. It is said that 22.5 litres of liquor was recovered from the vehicle.

Submission of learned counsel for the petitioner is that nothing has been recovered from his possession and petitioner has been made accused only because he is owner of the vehicle and real fact is that the informant demanded the vehicle for his use which petitioner has refused, as such he has been made accused in this case and he has no criminal antecedent.



Heard learned APP, who has opposed the prayer for anticipatory bail on the ground that there is prima facie case against the petitioner, as such this application is not maintainable.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail. However, if petitioner surrenders and prays for regular bail, the same shall be considered on its own merit and, if possible, to be disposed of on the same day.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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