

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31376 of 2019**

Arising Out of PS. Case No.-712 Year-2018 Thana- JAYNAGAR District- Madhubani

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VIJAY SAH @ VIJAY KUMAR SAH Son of Ram Prit Sah Resident of
Village - Koraihiya, P.S.- Jaynagar, Dist.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-08-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Jaynagar P.S.Case No.712/2018 dated 24.12.2018 registered for offences punishable under Sections 272, 273, 414, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is about recovery of 121 and odd ltrs. of liquor from the motorcycles, three persons were arrested and some of the miscreants succeeded in fleeing away. Petitioner is named in the FIR and he is owner of the Pulsar Motorcycle, which was seized from there.

Submission of the learned counsel for the petitioner is that there is nothing available on the record to show that he was also present there and he has been falsely implicated in this



case only because one of the motorcycles belongs to the petitioner as well as he has no criminal antecedent.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that one of the motorcycles belongs to the petitioner..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, if the petitioner surrenders and pray for regular bail, the same shall be considered on its own merit and possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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