

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36562 of 2019

Arising Out of PS. Case No.-224 Year-2019 Thana- MAHUA District- Vaishali

1. DHIRAJ KUMAR PASWAN @ DHIRAJ KUMAR Son of Umesh Paswan Resident of Village- Belkunda Paswan Toli, P.S.- Mahua, District- Vaishali.
2. Pritam Singh @ Pritam Kumar Son of Ranjay Singh Resident of Village- Vishanpur Taraura, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-09-2019 This application, for grant of anticipatory bail, arises out of Mahua P.S. Case No. 224/2019, disclosing offences under Sections 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

Prosecution case is that police received an information that huge quantity of liquor has been loaded in white colour Pick up van near Milan Hotel and some persons were standing there, on that information police went there and on seeing the police accused persons including petitioners succeeded in fleeing away. It is further alleged that on search 612 litres of liquor has been recovered from the pick up van. Apart from that petitioner is accused in one more case of similar nature.

Submission of learned counsel for the petitioners is that



they have been made accused in this case only on the basis of suspicion and except that there is nothing against the petitioners and after implication in this case, they have been made accused in two other cases and as he has no information with regard to another case, he has not mentioned the same in the petition and further there is no mentioning as to how the names of petitioners transpired in this case.

Learned counsel for the State opposed the prayer for bail and submitted that in this case huge quantity of liquor has been recovered. However, he could also not disclose as to how the name of petitioners transpired in this case

Having heard both sides, considering the facts and circumstances of the case, though I am not inclined to grant the privilege of anticipatory bail to the petitioner rather this application is disposed of with direction to the petitioner to 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, if possible on same day, without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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