

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58066 of 2018

Arising Out of PS. Case No.-321 Year-2018 Thana- Sakra District- Muzaffarpur

Niraj Kumar, S/o Kamlesh Rai, resident of Village- Misrauliya, P.S. Sakra,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 21-01-2019 Petitioner is seeking anticipatory bail in connection with Sakra P.S. Case No.321 of 2018 corresponding to G.R. No. 1126 of 2018 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30 (A), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned Counsel representing the petitioner submits that the petitioner has been falsely implicated in the present case as nothing has been recovered from his possession. It is submitted that the recovery of Foreign Liquor of about 4224-240 liters was made from one old Truck bearing No. BR 33C-93 with which petitioner had nothing to do.

No one appears on behalf of the State to oppose the prayer for bail.

On perusal of the records it appears that the petitioner



is accused in two other cases of similar nature. This Court is thus not inclined to grant anticipatory bail to the petitioner. In case the petitioner surrenders in the learned Court below within a period of four weeks from today and prays for regular bail, the same shall be considered by the learned Court below independently on the basis of the materials available on the record and the same shall not be rejected only because the prayer for anticipatory bail of the petitioner has been refused.

This application is disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

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