

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39317 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- RAJNAGAR District- Madhubani

RAM KISHOR YADAV S/o Badri Yadav R/o village- Ranti, P.S.- Raj Nagar,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Rajnagar P.S. Case No.89 of 2019 registered under Sections 272 and 273 of the Indian Penal Code besides Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the court of the Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

The accusation is that in course of checking of the vehicles by the informant and other police personnel, one car was seen coming. When signal was given to stop the car on which two persons were sitting, the driver of the car tried to flee away but the car was stopped. While the person, who was



driving the car, succeeded to flee away but another person was apprehended, who disclosed his name as Rakesh Sahni and also disclosed the name of the person, who succeeded to flee away, as Sunil Paswan. He further disclosed that at a short distance, the liquor, after unloading from the truck, is to be taken after loading the same on several vehicles. Thereafter, the informant along with other police personnel reached at that place from where several vehicles including the vehicle bearing Registration No.BR 07G 4211 were seized. On search of the said vehicle, 252 liters Indian Made Foreign Liquor was recovered, while the owner and driver of the said vehicle succeeded to flee away.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot rather the vehicle bearing Registration No.BR 07G 4211 belonging to the petitioner was seized by the informant and other police personnel from which 252 liters Indian Made Foreign Liquor was recovered.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of



anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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