

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39943 of 2019

Arising Out of PS. Case No.-394 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Praduman, Son of Munna Prasad, Resident of Village-Barhan Gopal, Police Station-Siwan Muffasil, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-06-2019 This is an application for grant of anticipatory bail in connection with Siwan Muffasil P.S. Case No.394 of 2018, disclosing offences under Sections 272, 273 of IPC and Sections 30(a), 38(1), 41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution story is that police received a secret information that the petitioner and other accused persons brought the liquor on a vehicle and they are unloading the same and concealing in bush. On that information, police raided the place of occurrence and seized two motorcycles along with three cartoons of liquor. Petitioner is not named in the F.I.R, later on his name transpired on the confessional statement of co-accused.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case, having no criminal antecedent.



Heard learned A.P.P. also, who opposed the prayer for bail on the ground that one of the recovered motorcycle is of petitioner from which also liquor was recovered.

Having heard both sides, considering the fact that recovery was made from the motorcycle, which belongs to the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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