

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42601 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- SAHIYARA District- Sitamarhi

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BASANT BHAGAT@BASANT MAHTO Son of Chulhai Mahto Resident of
Village - Matiyar Kala, P.S.- Sahiyara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-07-2019 Heard both sides.

The petitioner apprehends his arrest in Sahiyara P.S.

Case No.31 of 2019 registered under Sections 188, 272, 273,
414 of the Indian Penal Code and Sections 30 and 30(a) of Bihar
Prohibition and Excise Act.

The police intercepted a motorcycle on which two
persons were carrying liquor. The motorcyclist managed to flee
away but one Dilip Kumar was apprehended and Dilip Kumar
disclosed that petitioner(Basant Bhagat) managed to flee away.
On search, nepali liquor kept in a black bag was recovered from
the motorcycle of the petitioner.

The learned counsel for the petitioner submits that
motorcycle of the petitioner was borrowed by someone and
petitioner has falsely been implicated in the case but it appears



that Dilip Kumar, who was arrested on the spot on chase, disclosed that it was petitioner who was driving the motorcycle and it was he who was carrying the bag containing nepali liquor for sell in the market.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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