

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45158 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RANDHIR KUMAR S/O- Late Fulena Singh R/O- Jinedpur, P.S.- Mufassil,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam
For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-07-2019 This application, for grant of anticipatory bail, arises out
of Begusarai Muffasil P.S. Case No. 162/18, disclosing offences
under Sections 30(a) of the Bihar Prohibition of Excise Act,
2016.

Allegation as per F.I.R. is that police received
information that petitioner and one co-accused Prayag Singh is
engaged in sell of liquor, on which, police raided the house of
said accused and the wife of the accused Prayag Singh disclosed
that her husband and petitioner is engaged in liquor trade,
thereafter, there is recovery of huge quantity of liquor from the
house of co-accused Prayag Singh.

Submission of learned counsel for the petitioner is
that he has no criminal antecedent and he has falsely been



implicated in this case at the instance of disclosure made by the wife of co-accused Prayag Singh, with whom the petitioner is at inimical terms.

Learned counsel for the State opposed the prayer for bail and submitted that the petitioner is named in the F.I.R and his name has been disclosed by the wife of co-accused Prayag Singh, as such, he does not deserve the privilege of anticipatory bail.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may 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.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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