

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46074 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

ARVIND KUMAR Son of Prahlad Sah Resident of Village - Tengrari, P.S.-
Siwaipatti, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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

ORAL ORDER

2 25-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Siwaipatti P.S. Case No.46 of 2019 registered under Sections 272, 273 and 120(B)/34 of the Indian Penal Code besides Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016, pending in the court of the Special Judge, Excise Act, Muzaffarpur.

The accusation is that on receiving secret information about doing the business of illicit liquor at Plywood Factory of Lalit Kumar, situated in village-Ghosaut, the informant along with other police personnel reached there. On seeing the police party, the businessmen of liquor started to flee away, leaving



their vehicles. While they were chased but they succeeded to flee away. On query, the villagers disclosed that Lalit Kumar, Sujit Kumar, Dilip Kumar, Sanjeev Kumar, all sons of Rampravesh Kunwar, and Arvind Kumar (petitioner), son of Prahlad Sah, used to run the business of liquor in the said Plywood Factory. On search of Bolero Pickup van bearing Registration No.BR06GC-8367, Wagon R vehicle bearing Registration No.BR01CD-9296 and Bolero vehicle bearing Registration No.JH05N-6311, total 921.765 liters Indian Made Foreign Liquor was recovered.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot. The search was made in the Plywood Factory of Lalit Kumar, Sujit Kumar, Dilip Kumar and Sanjeev Kumar, situated in village-Ghosaut but the petitioner, who is in visiting term with the aforesaid persons, has falsely been implicated in this case. The petitioner is neither the driver nor the owner of the seized vehicles.

It appears from paragraph-3 to this application that the petitioner is accused in two other cases of similar nature.

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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