

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47693 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- SAKRA District- Muzaffarpur

Rajesh Sah @ Abhishek Raja, Aged about 35 years, Male, Son of Shivchandra Sah, Resident of Village-Variyarpur Tole bhargada, P.S.-Sakra (Variyarpur O.P.), District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-07-2019 Heard both sides.

The petitioner apprehends his arrest in Sakra P.S. Case No.98 of 2019, registered under Sections 147, 148, 149, 114, 115, 341, 323, 353, 427, 504, 506, 272 and 273 of the Indian Penal Code as well as under Sections 30(A), 35(A), 39(II) and 41 of the Bihar Prohibition and Excise Act.

The informant, who is a Probationer IPS Officer, while posted as Officer-in-charge, Sakra got information about unloading of liquor from a truck by the petitioner, Rajesh Sah, Bhushan Rai and Damodar Rai but after seeing the police, the accused persons managed to flee away and 704.16 litres of Indian made foreign liquor along with the vehicle were seized. It is further alleged that petitioner not only fled away from the



place of occurrence but also instigated the villagers to attack the police party. The petitioner was identified by the Officer-in-Charge and other police officials of the police station.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. The police officer named the petitioner in the FIR at the instance of his enemy but taking into consideration the facts that the police got secret inputs about bringing of a big consignment of liquor by the petitioner and two others and while the petitioner and two others were unloading the consignment of liquor from the truck, the police reached there but the petitioner fled away from the place of occurrence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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