

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48838 of 2019**

Arising Out of PS. Case No.-573 Year-2017 Thana- BARACHATTI District- Gaya

Raj Kumar Yadav, Son of Tileshwar Yadav, Resident of Village-Kahudag,  
Police Station-Barachatti, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr. Indra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      06-08-2019                      This is an application for grant of anticipatory bail in connection with Barachatti P.S. Case No. 573 of 2017, disclosing offence under Section 30(d) of the Bihar Prohibition and Excise Act, 2016.

Allegation of recovery of Mahua Flower from the motorcycle and it is said that motorcycle is of the petitioner.

Submission of the learned counsel for the petitioner is that nothing has been recovered from his conscious possession and he has falsely been implicated in this case and he has no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that recovery is from the motorcycle and that motorcycle belongs to the petitioner and as such, he does not deserve privilege of anticipatory bail.

Having heard both sides, in view of the facts and



circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, the petitioner may move before the learned court below for regular bail, which shall be considered by the learned court below, without being prejudiced by order of this Court, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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