

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48691 of 2019

Arising Out of PS. Case No.-401 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. Chandan Kumar, Son of Pintu Singh, Resident of Village- Chakiya, P.S.- Saraiya (Jaintpur O.P.), District- Muzaffarpur.
2. Kundan Kumar @ Kundan Singh, Son of Pintu Singh, Resident of Village- Chakiya, P.S.- Saraiya (Jaintpur O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Karn

For the Opposite Party/s : Mr.Kanhaiya Kishore (App 100)

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-08-2019 This is an application for grant of anticipatory bail in connection with Saraiya (Jaintpur O.P.) P.S. Case No. 401 of 2019, disclosing offences under Sections 272, 273, 353, 120B of IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation as per F.I.R. is that police got an information that a truck met with an accident, on that, he reached there and further allegation is that petitioners and other accused persons assembled there and tried to open the lock of the container, which was protested by the police personnel, then they broke open the lock of the container and looted away the liquor loaded on the container and succeeded in fleeing away from the spot. On search of the truck, 541 liters of country made



liquor was recovered.

Submission of the learned counsel for the petitioners is that they have falsely been implicated in this case and no specific allegation has been attributed against them. They have no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that there is allegation that they have looted away the liquor from the truck, which was met with an accident.

Having heard both sides, in view of the allegations, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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