

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49879 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- BODHGAYA District- Gaya

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RAM LALAN KUMAR Son of Late Ram Ishwar Yadav Resident of Village -
Gopibigha, P.S.- Maghadh Medical, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramashish

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bodh Gaya P.S. Case No. 288 of 2019 registered for the offences under Sections 272, 273 of the Indian Penal Code and Section 30(A) of Bihar Prohibition Act.

Prosecution story is that police intercepted a tempo and arrested two accused persons and recovered 18.850 litres of liquor from the tempo and petitioner happens to be owner of the tempo.

Submission of learned counsel for the petitioner is that FIR itself shows that petitioner was not present at the place of occurrence and he has handed over the tempo to the driver for running the same as such he is not liable for the alleged recovery and he has no criminal antecedent.

Heard learned APP, who has opposed the prayer for



anticipatory bail on the ground of maintainability of this application for grant of anticipatory bail.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may surrender and pray for regular bail, which shall be considered on its own merit and, if possible, to be disposed of on the same day.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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