

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50807 of 2019

Arising Out of PS. Case No.-467 Year-2018 Thana- FALKA District- Katihar

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BHAIRAV MANDAL @ BHAIRAV KUMAR, S/O- Bhagwan Mandal R/O -
Mali, P.S.- Bhawanipur, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Ashraf Ansari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2019 Heard both sides.

The petitioner apprehends his arrest in Falka P.S. Case No.467 of 2018 registered under Sections 307, 353, 338 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

The informant and other police officials were checking the vehicles but two persons came on a motorcycle and dashed a constable. The driver of the motorcycle also got injury. The constable got fracture injury on his leg. The pillion rider managed to flee away but one bag tied in the motorcycle was recovered. From the bag, 40 liters of country made liquor was recovered.

The learned counsel for the petitioner submits that petitioner has falsely been implicated in the case. The liquor was



not recovered from the conscious possession of the petitioner and save and except suspicion, there is no material but it appears that it was the petitioner who dashed the constable driver causing fracture injury on the leg of the constable driver and the petitioner also got injury. Petitioner was admitted in hospital. From the bag, being carried by the pillion rider on the motorcycle of the petitioner, 40 liters of country made liquor was recovered.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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