

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51074 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- BASOPATTI District- Madhubani

MADAN SAH S/o Suraya Narayan Sah @ Suraj Narayan Sah R/o Village-
Kodarkatta, P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Basopatti P.S. Case No.143 of 2019/G.R. No.1195 of 2019 registered under Sections 272 and 273 of the Indian Penal Code besides Section 30(a) of the Bihar Excise (Prohibition) Amendment Act, 2016, pending in the court of the Additional Sessions Judge-II-cum-Special Judge (Excise Act), Madhubani.

The accusation is that on receiving secret information about carrying the illicit Nepali Liquor, loading on the Maruti Van, the informant along with other police personnel started the checking of the vehicle. At that time, one Maruti Van bearing Registration No.BR 32 PA-1562 was seen coming in high speed



towards Basopatti Market. On seeing the police party, the driver of the Maruti Van and the persons, who were sitting on the Maruti Van, after opening the gate of the same, fled away. On search of the Maruti Van bearing Registration No.BR 32PA-1562, 405 liters Nepali Liquor, kept in several bottles, was recovered.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner was the owner of the seized Maruti Van but he sold the same on 29.06.2019, before the alleged date of the occurrence, to Md. Aamin, son of Safi Hamad, resident of village-Khirhar, P.S. and P.O. Khirhar, District-Madhubani.

The petitioner appears to be accused in two other cases of similar nature, as detailed in paragraph-3 to this application.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered



by the trial court in accordance with law without being
prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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