

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53622 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- BAIRIYA District- West Champaran

Ranjan Kumar @ Ranjan Chaudhary @ Badhu Chaudhary @ Badu Chaudhary Son of Ganesh Chaudhary, Resident of Village - Tumkadiya, P.S.- Bairiya, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-08-2019 Heard both sides.

The petitioner apprehends his arrest in Bairiya P.S. Case No.45 of 2019 registered under Sections 272, 273 and 34 of the Indian Penal Code and under section 30(a) of the Bihar Prohibition and Excise Act.

The police intercepted a motorcycle bearing registration no.BR22W-6478 on information that the motorcyclists were carrying liquor but after seeing the police, the driver of the motorcycle fled away and pillion rider, who was holding a bag containing 127 pouches of liquor, was apprehended and disclosed his name as Gulab Chaudhary @ Gamal Chaudhary. The apprehended accused disclosed the name of petitioner, who managed to flee away.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case at the instance of Gulab Chaudhary with whom the petitioner has got enmity.

It appears that no document showing enmity with Gulab Chaudhary (apprehended accused) is attached with the bail petition. Gulab Chaudhary, who was holding a bag containing liquor on the motorcycle, was apprehended and it was the petitioner, who was driving the motorcycle but he managed to flee away.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

