

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58965 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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PRASANT SUMAN @ GOLKA @ GOLUA S/O Rajeev Kumar Resident of
Village Manjhaul in front of Referral Hospital, Manjhaul, P.S. Cheriabariarpur
(Manjhaul O.P.), District Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Rajendra Nath Jha

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

ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Cheriabariarpur P.S. Case No.102 of 2019 registered
under Sections 411, 413 and 414 of the Indian Penal Code,
pending in the court of the Additional Chief Judicial Magistrate,
Manjhaul, Begusarai.

The accusation is that the informant received
information about carrying of illicit liquor by Rajeev Kumar on
Bolero vehicle to his house, situated in front of Manjhaul
Referral Hospital. Thereafter, the informant along with other
police personnel reached there and found a Bolero vehicle



bearing Registration No.BR-9D-7304 parked there. While the Bolero vehicle and the house of Rajeev Kumar were searched but no incriminating article was recovered from the same. On query, Rajeev Kumar disclosed that the parked vehicle is of his son Prasant Suman alias Golua (petitioner) but, on demand, he could not produce any paper of the said vehicle, saying that the same is with Golua (petitioner). Thereafter, Rajeev Kumar asked his son (petitioner) on mobile phone to come to the house but he did not come. Thereafter, the vehicle was taken to the police station along with Rajeev Kumar. Thereafter, on the promise of Rajeev Kumar that he will send to Golua along with paper to the police station, Rajeev Kumar was set free but neither Golua came to the police station nor the paper of the said vehicle was produced by him.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the house of the petitioner is situated in front of Manjhaul Referral Hospital and a person parking the said vehicle at the house of the petitioner moved from there. While the said vehicle was seized but the petitioner was not apprehended.

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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