

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57631 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- SHIVSAGAR District- Rohtas

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ARUN KUMAR Son of Late Ram Bachan Saw Resident of Village -
Babhandi, P.S.- Aurangabad (Muffasil), Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Anil Kumar(App82)

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

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Shivsagar P.S. Case No.215 of 2019 registered under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act,
2016, pending in the court of the Additional Sessions Judge-II-
cum-Special Judge (Excise), Rohtas at Sasaram.

The accusation is that in course of checking of the
vehicles by the informant and other police personnel, some
persons from the Xylo vehicle, on seeing the police party,
started to flee away. On chase, while two persons were
apprehended, who disclosed their name as Jay Prakash Kumar
and Pintu Paswan, one succeeded to flee away, taking the



advantage of the darkness. On search of the Xylo vehicle, one bottle, containing 750 ml. Indian Made Foreign Liquor, one bottle of two liters, containing 1 liter and one bottle of 1/2 liter, each containing country made liquor were recovered.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the owner of the seized vehicle and he was not apprehended on the spot.

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)

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