

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58910 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- MASHRAK District- Saran

OM PRAKASH RAM @ PRAKASH RAM Son of Late Kishan Ram @ Late
Kishun Ram Resident of Village - Chand Kudariya, P.S.- Masrakh, District-
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankur Prakash Sinha

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-09-2019 Heard both sides.

The petitioner apprehends his arrest in Masrakh P.S.
case No. 216 of 2019 registered under Section 272, 273 of the
IPC and u/s 30, 30(a), 38, 41 of the Bihar Prohibition & Excise
Act.

The informant got information that two persons riding
on a motor cycle were carrying liquor and on such the informant
reached near canal bridge situated in villagae Chand Kudariya.
The informant saw two persons coming on a motor cycle. When
the motorcyclists saw the police the driver of the motor cycle
sped up the motor cycle but pillion rider fall on the ground. The
informant arrested the pillion rider who disclosed his name as
Mandeo Manjhi and from his possession 15 liter of country



made liquor was recovered. Mandeo Manjhi disclosed that it was Prakash Ram, the petitioner, who was driving the motor cycle and he fled away speeding up his vehicle.

The learned counsel for the petitioner submits that the petitioner was not apprehended nor the petitioner was driving the motor cycle. Nobody has seen the petitioner driving the motor cycle but it appears that it was Mandeo Manjhi, who was apprehended when he fell down from the motor cycle, and he disclosed the name of petitioner that petitioner was carrying liquor and 15 liter of country made liquor was recovered from the possession of Mandeo Manjhi.

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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