IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58467 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- AKHODHIGOLA District- Rohtas

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DHARMENDRA SAH @ DHARMENDRA SINGH Son of Ramayan Singh Resident of Village - Rampur, P.S.- Sasaram, Distt - Rohtas.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Akorhi Gola P.S. Case No.05 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the court of the Special Judge, Excise, Rohtas at Sasaram.

The accusation is of recovery of 60 bottles, each containing 180 ml. Indian Made Foreign Liquor, from the motorcycle having no Registration Number.

Learned counsel appearing on behalf of the petitioner submits that, admittedly, the petitioner is the owner of the seized motorcycle from which the alleged recovery was made but the

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motorcycle of the petitioner was taken by his co-villager Ajeet Kumar for going to the Market and, thereafter, the motorcycle of the petitioner was seized by the informant.

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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