

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66313 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

SUBHAM KUMAR @ KAAR BABU Son of Late Ram Sringar Choudhary
Resident of Village- Sherpur, P.S.- Vidyapati Nagar, District- Samastipur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate.
For the State : Mr. Dashrath Mehta, A.P.P.

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

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Vidyapati Nagar P.S. Case No.90 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 pending in the court of the 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur.

The accusation is that on receiving the secret information about keeping of the Indian Made Foreign Liquor in the room of the Bathan of the share of Chhabban Kumar alias Suman Kumar by the petitioner and Chabban Kumar alias Suman Kumar, the informant along with other police personnel reached at the Bathan of the share of Chhabban Kumar alias



Suman Kumar and on search, 4064 bottles of Indian Made Foreign Liquor, kept in different cartoons, in the volume of 861.975 liters, were recovered from there.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot rather on the alleged date of the occurrence, the petitioner had gone to Ranchi in connection with the treatment of his mother.

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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