

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64475 of 2019

Arising Out of PS. Case No.-327 Year-2019 Thana- MANER District- Patna

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Kunal Kumar S/o Dev Prasad Rai @ Dev Prasad Singh Resident of Village-
Hulasi Tola, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kritu Verma

For the Opposite Party/s : Mr.Shyam Bihari Singh

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

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Maner P.S. Case No. 327 of 2019, registered under Section 30(a) of
the Bihar Excise Act, 2016, pending in the court of Special Judge,
Excise, Patna.

The accusation is that on receiving secret information
about carrying of illicit liquor loading on motorcycle by the
petitioner towards Maner, the informant along with other police
personnel proceeded with that direction then saw two motorcycles
coming in fast speed. When the signal was given to stop the
motorcycles but both drivers of the motorcycles started to flee away,
leaving their motorcycles, while on chased, one was apprehended,
who disclosed his name as Kishan Kumar. On search, ten bottles



each containing 375 ml Indian made foreign liquors were recovered from both motorcycles.

Learned counsel for the petitioners submits that petitioners and his brother, Kishan Kumar had gone to Brahamdeo Asthan for worship boarding on two motorcycles, while Kishan Kumar was present near the motorcycle but at that time, police made query but he did not give satisfactory reply due to that reason the police implicated the petitioner and his brother, Kishan Kumar in the present case. Further submission is that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would 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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