

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68079 of 2019**

Arising Out of PS. Case No.-336 Year-2019 Thana- NAUTAN District- West Champaran

Mandev Kumar @ Manjeet Kumar, S/o Sri Suresh Sah, R/o village Jagdishpur, Baniyapatti, P.S. Nautan (Jagdishpur), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ramesh Chandra

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      05-11-2019                      Heard both sides.

The petitioner apprehends his arrest in Nautan (Jagdishpur) P.S. Case No.336 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant alleged that a motorcyclist after seeing the police started fleeing away. The Choukidar accompanying the police party identified the motorcyclist as Mandev Kumar @ Manjeet Kumar who fled way leaving the motorcycle on the spot. The Choukidar identified the petitioner as he was driving the motorcycle. From the motorcycle two bags containing about 40 pouches each containing 180 ml. liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is not the owner of the motorcycle and nothing has been recovered from possession of the petitioner but from



perusal of the FIR itself, it appears that it was the petitioner who was driving the motorcycle and the Choukidar duly identified the petitioner carrying bags on his motorcycle but seeing the police, the petitioner fled away.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

**(Prabhat Kumar Jha, J)**

S.KUMAR/-

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