

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2006 of 2020

Arising Out of PS. Case No.-175 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

PREETAM RAY Son of Veer Bahadur Ray Resident of Village-Bhaluaa
Shankardih, P.S.-Taraiya, District-Chhapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-06-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Baikunthpur
P.S. Case No.175 of 2019 registered under Sections 272, 273
and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that
recovery was made from the shop of Devendra Singh and
nothing has been recovered from the conscious possession of
the petitioner. Petitioner is alleged to have supplied the liquor
but there is no material that the petitioner supplied any liquor to
the shop of Devendra Singh. On account of enmity, the
petitioner has falsely been implicated in the case.

Of course, nothing has been recovered from the
conscious possession of the petitioner and the name of the
petitioner has surfaced in this case on the allegation that he is a



supplier and that allegation remains to be verified but since the petitioner has got criminal antecedent and he is accused in as many as three cases, all registered under different Sections of the Excise Act, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner taking into consideration the fact that nothing has been recovered from the conscious possession of the petitioner and dispose of the same preferably on the same day.

(Prabhat Kumar Jha, J)

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