

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16259 of 2020**

Arising Out of PS. Case No.-356 Year-2019 Thana- BARHARA District- Bhojpur

SONU RAI @ SONU KUMAR RAI S/o Surendra Rai Resident of Village-
Matukpur, P.S.- Barahara, Distt- Bhojpur, Ara

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Mira Kumari, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory
bail in connection with Barhara P.S. Case No. 356 of 2019
registered for the offence punishable under Section 30(a) (d) of
Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case only due to
village politics and the Chowkidar has alleged that he had
identified the petitioner fleeing away and the alleged recovery
of illicit liquor and utensils were made from the room situated
near the pond which belongs to the petitioner.

Learned APP for the State has opposed the prayer for
anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein not only in the first information report it has come that the Chowkidar has identified this petitioner fleeing away from the room in which the illicit liquor and other utensils were found but there is also an admitted position that, according to learned counsel for the petitioner, the pond belongs to the petitioner and it has come that he has kept those utensils there in the room, there being admission that the room belongs to this petitioner and identified by the Chowkidar, I am not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is thus, refused.

This application stands dismissed.

In case the petitioner surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

