

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16830 of 2020

Arising Out of PS. Case No.-137 Year-2019 Thana- MARANCHI District- Patna

MANISH KUMAR S/o Late Arun Singh R/o village- Mahendrapur, P.S.-
Hathidah, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 15-10-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Informant who is the police officer has alleged in his written complaint that while he was on patrolling duty, he received secret information that Manish Kumar (petitioner) alongwith his friends is riding on his Yamaha motorcycle laden with liquor. On such information he started vehicle checking and saw that two persons riding on motorcycle started fleeing



away after seeing police party, they tried to stop them but they fled away taking advantage of darkness after leaving motorcycle. On search 4.5 litres of foreign liquor was recovered from the motorcycle.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to high handedness of police. Nothing was recovered from his conscious possession. Petitioner has no criminal antecedent.

Allegation is recovery of 4.5 litres of foreign liquor from the motorcycle of petitioner, as such, anticipatory bail application is not maintainable and is accordingly dismissed.

However, if petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merit without being prejudiced by this order.

(S. Kumar, J)

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