

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29465 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- RAJAPAKAR District- Vaishali

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MANOJ KUMAR @ BATAHA S/o Late Ram Nath Singh @ Langer Resident
of Village-Rajapakar South Tola, P.S-Rajapakar, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2020 Heard Mr. Vasant Vikas, learned counsel for the

petitioner and Mr. Uday Pratap Singh, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with
Rajapakar P.S. Case No. 51 of 2020 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2018.

The allegation as per the First Information Report is
that the Police on the basis of secret information raided the
house of the petitioner and recovered a total quantity of 2.25
litres of illicit foreign liquor and 1 litre Beer from his house.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. Learned counsel



further submits that the petitioner has got no criminal antecedent and nothing has been recovered from his conscious possession.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the illicit liquor has been recovered from the house of the petitioner and in view of full Bench Judgment of this Court, reported in 2019(2) PLJR 1089, I am not inclined to exercise my discretion for grant of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

However, if the petitioner surrenders and moves for regular bail within four weeks from today, the learned court below may consider his application for regular bail on the same date without being prejudiced by the fact that the present anticipatory bail application has been rejected by this Court.

(Anil Kumar Sinha, J)

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