

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65528 of 2019**

Arising Out of PS. Case No.-90 Year-2019 Thana- SAHARGHAT District- Madhubani

CHANDAN MISHRA Son of Ramlakhan Mishra Resident of Village Balwa,
P.S.- Madhwapur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Ram Bachan Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, as amended by Amendment Act 8 of 2018.

The prosecution case as per the self statement of Surendra Paswan, S.I.-cum-S.H.O. Saharghat Police Station is to the effect that on 07.08.2019, during patrolling, two motorcycles were intercepted and on search being made, from the petitioner's motorcycle, 45 litres of Nepali liquor whereas from the other motorcycle, 54 litres of Nepali liquor were recovered.

It is submitted by learned counsel for the petitioner



that though the petitioner is the owner of one of the seized vehicles from which the recovery is alleged to have been made, but the petitioner was not apprehended from the spot.

Considering the nature of recovery made from the motorcycle of the petitioner, this Court is not inclined to release the petitioner on anticipatory bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks, in connection with Saharghat P.S. Case No. 90 of 2019, pending before the learned ADJ-II-cum-Special Judge, Excise Act, Madhubani.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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