

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74456 of 2019**

Arising Out of PS. Case No.-201 Year-2019 Thana- NAWANAGAR District- Buxar

SANTOSH KUMAR @ SANTOSH KUMAR GUPTA Son of Moti Lal Sah
Resident of Village - Nawanagar, P.S.- Nawanagar, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad

For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 17-01-2020 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Nawanagar P.S.Case No.201 of 2019 dated 18.7.2019 registered for offences punishable under Sections 30(a) and 41(1) of Bihar Prohibition and Drug and Excise Act.

As per FIR, there is recovery of liquor from one Santro Vehicle and the petitioner succeeded in fleeing away. Apart from that one motorcycle was also recovered and there is recovery from the motorcycle also. Petitioner is also named in the FIR along with the other accused persons.

Submission of the learned counsel for the petitioner is that he has falsely been implicated only because he is accused in earlier case also and nothing has been recovered from his conscious possession.



Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there is allegation. Apart from that he is accused in one more case of similar nature.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, if he surrenders before the learned court below and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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