

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12508 of 2021

Arising Out of PS. Case No.-224 Year-2020 Thana- NAVINAGAR District- Aurangabad

Vikash Kumar S/O Sudarshan Singh R/O Village Kurmi Pokhara Ramnagar,
P.O. And P.S.-Nabinagar, District-Aurangabad And At Present R/O C/O Sunil
Kumar At Banahi, P.O.-Khajuri Saraiya, P.S.-Pipra, District-Palamu,
Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-11-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Navinagar P.S. Case No.224 of 2020, registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

From the motorcycle of the petitioner and co-accused
huge quantity of country-made liquor was recovered. However,
the motorcycle riders fled away.

Submission is that petitioner has got no criminal
antecedent and he was not there at the time of recovery.



Since the recovery is from the motorcycle of the petitioner and there is no explanation as to under what circumstance liquor was there on the motorcycle as well as considering bar under Bihar Prohibition and Excise Act, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner within two weeks, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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