

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4015 of 2020

Arising Out of PS. Case No.-381 Year-2019 Thana- SAKRA District- Muzaffarpur

MD. RAUNAK @ MD. RAUNAK ALI Son of Mirtalim Husain, Resident of
Village- Pahadpur Chak Abdulla, P.S.- Sakra, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 21-10-2021 Heard the parties.

In this case, the petitioner apprehends his arrest in connection with Sakra P.S. Case No. 381 of 2019 registered for offence punishable under sections 420, 467, 468 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, the police party got confidential information that illicit liquor was being stored in a semi built house belonging to Ramchandra Sah @ Sopal Sah. When the police party reached at the place of occurrence, the persons, who were unloading the illicit country made liquor from the Hyva vehicle, succeeded in fleeing away from there.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and he has falsely been implicated in this case. He has further submitted that the petitioner was not arrested at the spot and the co-accused Ramchandra Sah @ Sopal Sah has been granted anticipatory bail, vide order dated 08.01.2021 passed in Cr. Misc. No. 31307 of 2020 so similar relief should be granted to the present petitioner. He has also submitted that the case of Ramchandra Sah @ Sopal Sah, who has been granted anticipatory bail by a co-ordinate Bench of this Court, was similar to the case of the present petitioner, but this case is quite distinguishable due to the fact that Ramchandra Sah @ Sopal Sah was not seen by the police party. As per the recital self statement, the petitioner was seen by the police party in unloading illicit liquor whereas Ramchandra Sah @ Sopal Sah was not seen by the police party. He has further submitted that the owner of Hyva vehicle has also been granted anticipatory bail.

On perusal of the order dated 08.01.2021 passed in Cr. Misc. No. 31307 of 2020 it appears that the allegation on that petitioner was for storage of liquor in semi built house, but in respect of the present petitioner, the FIR itself shows that he was seen in unloading the illegal liquor from Hyva vehicle and storing the same in semi built house.



Having seen the police party the petitioner was become successful in fleeing away.

Considering the above facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on anticipatory bail and accordingly his prayer for bail is rejected.

(Nawneet Kumar Pandey , J)

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