

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27531 of 2020

Arising Out of PS. Case No.-440 Year-2019 Thana- SAKRA District- Muzaffarpur

Sanjay Kumar, Son of Umesh Ray, Resident of Village - Sarmastpur, Police Station - Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Nandan, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-01-2021 Case diary has been received from the office of Senior Superintendent of Police, Muzaffarpur and the same is available on the record.

An affidavit showing compliance of the order dated 26.11.2020 has, however, not been filed on behalf of the petitioner.

Heard learned counsel for the petitioner and Mr. Mukesh Kumar Singh, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Sakra P.S. Case No.440 of 2019 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner is not the owner of the Alto car from which the illicit liquor was recovered and he has no concern with the alleged recovered illicit liquor. It is submitted that the petitioner has got no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it has come in course of investigation that the Alto car in which the illicit liquor was kept was standing in front of the door of the petitioner who is son of Umesh Ray and it has been informed by the villagers that the vehicle was being used by this petitioner for trade of illicit liquor, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of



this Court.

The observation with regard to surrender in the court below within a period of four weeks shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

