

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32933 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- NASRIGANJ District- Rohtas

Manoj Kumar Son of Dayanand Prasad, Resident of Mohalla - Baddi Bazar
Ward No. 6, Police Station- Nasriganj, District- Rohtas at Sasaram.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.
: Ms.Riya Singh, Adv.
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-02-2021 Heard Mr. Raghunandan Kumar Singh, learned
counsel for the petitioner and Mr. Rajendra Singh, learned
APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Nasriganj P.S. Case No. 107 of
2020 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner has submitted
that though the recovery is from the house of the petitioner
but he is not the exclusive owner of that house. One of the
family members of the petitioner was also arrested during
the raid. He has argued that he is the co-sharer of the house



and if at all the accusation against him would have been correct, the copy of the seizure list must be handed over to anyone of the inmates of the house. That not having been done, the accusation has become suspect in the eyes of law.

Apart from this, it has been submitted that the petitioner does not have criminal antecedent.

However regard being had to the fact that there is some recovery from the room belonging to the petitioner, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, all the ground raised on behalf of the petitioner shall be taken into account and a reasoned order shall be passed without being prejudiced by the fact that the present petition for grant of anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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