

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37522 of 2020

Arising Out of PS. Case No.-254 Year-2019 Thana- BIDUPUR District- Vaishali

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Arun Kumar Sah @ Arun Sah Son of Ram Chandra Sah Resident of village-
Gohi, Police Station- Warish nagar, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-04-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Bidupur P.S. Case No. 254 of 2019

instituted for the offences under Sections 420 and 414 of

the Indian Penal Code and Sections 30 (a), 35 and 41 of the

Bihar Prohibition and Excise Amendment Act, 2018.

Huge quantity of liquor is said to have been

recovered from a brick kiln and and from the vehicles parked

there. From the vehicle of the petitioner, 90 litres of liquor is

said to have been recovered.

Learned counsel for the petitioner has sought



anticipatory bail on the ground that his wife who has also been made accused in this case has been granted bail by a Bench of this Court vide order dated 27.11.2019 passed in Cr. Misc. No. 76385 of 2019. The aforesaid bail order cannot come to the aid of the petitioner as he is the owner of the vehicle from where recovery has been made.

Considering the afore-stated facts, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, that petition shall be considered on its own merits, 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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