

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37845 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Kumod Kumar, S/o Indradeb Yadav, R/o- Gohari (Debnagar), P.S.- Kiul,
District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.
For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-07-2021 As prayed for, let the learned counsel appearing for the

petitioner remove the defect(s), as pointed out by the office, within

four weeks of starting of the Court proceeding in physical mode in

normal course.

Heard learned counsel for the petitioner and the learned
A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with
Excise Case No. 116 C 2 of 2020 registered under Sections 30(a),
32, 41, 56(a) and 56(b) of the Bihar Excise Act, pending in the court
of Additional Sessions Judge-II-cum-Special Judge Excise Act,
Lakhisarai.

The accusation is that in course of checking of the
vehicles by Excise Officials, one person was seen coming with read
color Passion Pro motorcycle bearing registration no. BR 53D 2118.



On giving signal to stop the motorcycle, the person who was driving the motorcycle left the motorcycle and fled away. On checking, one sack containing 30 litre country made liquor was recovered from the said motorcycle.

Learned counsel for the petitioner submits that petitioner is the owner of the said motorcycle and in course of checking of the vehicle, motorcycle of the petitioner was stopped and when paper of the said motorcycle was demanded, petitioner went to his house to bring the relevant papers of the motorcycle then police seized the said motorcycle showing the recovery of alleged country made liquor from his motorcycle. Further submission is that petitioner has no criminal antecedent.

Taking into consideration the country made liquor is said to be recovered from the motorcycle of the petitioner, I am not inclined to grant anticipatory bail to him. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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