

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38425 of 2020

Arising Out of PS. Case No.-87 Year-2020 Thana- SIKARPUR District- West Champaran

1. Nipu Kumar, S/o Indrasan Prasad, R/o Village/Mohallah-Belbaniya, P.S-Shikarpur, District-W.Champaran
2. Sushil Prasad @ Sushil Kumar, S/o Indrasan Prasad, R/o Village/Mohallah-Belbaniya, P.S-Shikarpur, District-W.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aprajita, Advocate.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

ORAL ORDER

3 09-07-2021 As prayed for, let the learned counsel appearing for the petitioners 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.

It appears that vide order dated 01.02.2021, this application is dismissed as withdrawn with respect to petitioner no.2, namely, Sushil Prasad @ Shshil Kumar.

Heard learned counsel for the petitioner no. 1, namely, Nipu Kumar and the learned A.P.P. for the State.

The petitioner no.1, Nipu Kumar, apprehends his arrest in connection with Shikarpur P.S. Case No. 87 of 2020, registered under Sections 30(a) of the Bihar Excise Act, 2016,



pending in the court of learned Additional Sessions Judge-II-cum-Special Judge Excise Act, West Champaran.

The accusation is of recovery of 20 litre country made liquor from the house of Nipu Kumar (petitioner no.1) and his brother, Shshil Prasad (petitioner no.2).

Learned counsel for the petitioner no.1, Nipu Kumar, submits that petitioner no. 1 has falsely been implicated in the present case due to ulterior motive. Further submission is that petitioner no. 1 has no criminal antecedent.

Having considered the facts and circumstances of the case and the recovery of illicit liquor from the house of petitioner no.1, I am not inclined to grant anticipatory bail to him. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner no.1 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)

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