

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38948 of 2020**

Arising Out of PS. Case No.-288 Year-2020 Thana- DIGHA District- Patna

Indrajeet Rai, S/o Ram Naryan Rai, R/o Village- Hetanpur, P.S.- Sahpur,  
Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashutosh Kumar Singh, Advocate.

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

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

ORAL ORDER

2      12-07-2021                      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 Digha P.S. Case No. 288 of 2020, registered under Section 30(a) of the Bihar Excise Act, pending in the court of learned Special Judge Excise, Patna.

The accusation is that in course of patrolling duty, two persons were seen on motorcycle bearing registration no. BR01 DP 4972 and on seeing the police party, both persons



started to flee away, while on chase, they succeeded to flee away leaving the motorcycle. On search, one sack containing 11 bottles of 750 ml Indian made foreign liquor was recovered from the said motorcycle.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot. In course of investigation, it was detected that the seized motorcycle, from which, a sack containing several bottles of Indian made foreign liquor recovered, is belonging to the petitioner. Further submission is that petitioner has no criminal antecedent.

Taking into consideration, a sack containing 11 bottles of 750 ml Indian made foreign liquor is said to be recovered from the motorcycle of the petitioner, I am not inclined to grant anticipatory 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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