

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40460 of 2020

Arising out of PS. Case No.-113 Year-2020 Thana- BYPASS District- Patna

Rajesh Kumar, Son of Chhote Lal, Resident of Village - Naya Tola, Chhote Patndevi, P.S.- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 23-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 26.12.2020, within four weeks of starting of 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 Bypass P.S. Case No. 113 of 2020 (Special Case No. 3102 of 2020), registered under Sections 30(a)/36 of the Bihar Prohibition & Excise Act.

The accusation is that in course of patrolling duty one Maruti Car bearing Regn. No. BR-04U-6143 was seen coming from Didarganj to Patna and on seeing the police party the driver fled away leaving the Maruti Car. On search of said



Maruti car 156 pouches of 375 ml Indian made foreign liquor recovered.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case being the owner of the seized Maruti car but in fact the Maruti car of the petitioner from which 156 pouches of 375 ml Indian made foreign liquor was recovered was being driven by Amarnath Kumar and the petitioner was not present in the vehicle at that time.

Having regard to the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. 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)

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