

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3943 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

SHEO PRASAD RAI Son of Late Ramikbal Rai Resident of Village - P.S.-
Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava, Adv.
For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-08-2021 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 Baikunthpur P.S. Case No.
49/2020 instituted for the offences under Sections 272,
273/34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2016.

It has been alleged in the F.I.R. that the police
party received a confidential information that the petitioner,
who trades in liquor, is coming with huge consignment on his
vehicle. On this information, a vehicle was intercepted but
two of the persons sitting in said vehicle managed to run



away. Huge quantity of liquor is said to have been recovered from the aforesaid vehicle.

In the entire petition, learned counsel for the petitioner has not stated anything about the reason for his false implication. He has just made an oral statement that he has falsely been made accused in this case at the instance of the local police.

This does not persuade this Court in granting anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits, taking into account all the grounds raised by the petitioner including that he does not have criminal antecedents and an order shall be passed, without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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