

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19973 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- CHANAN District- Lakhisarai

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DHARMENDRA KUMAR SON OF RAJENDRA YADAV RESIDENT OF
VILLAGE- JANKIDIH, P.S.- CHANAN, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mayank Bilochan

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Chanan P.S. Case no. 132 of 2020 instituted for the offence
punishable under Sections 414, 272, 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per allegation in the FIR, police party reached at
the place of occurrence and on seeing the police party, accused
person left the motorcycle bearing Registration No.
BR21M5322 and managed to flee away. On search, 20 litres



mahua liquor from the dickey of the said Motorcycle was recovered. Local choukidar has disclosed the name of the fled person as the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail. From perusal of the case diary, it appears from para 42 that the alleged motorcycle is a stolen property and regarding missing of the alleged vehicle, an FIR dated 30.10.2020 was also lodged by the son of the concerned owner.

Having heard learned counsel for the parties and taking into consideration that petitioner was involved in trade of of illicit liquor and he was using stolen motorcycle in the alleged offence, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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