

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21115 of 2021**

Arising Out of PS. Case No.-98 Year-2020 Thana- MATIHANI District- Begusarai

ANKUR KUMAR @ ANKUAA SON OF VINAY SINGH @ VINAY
KUMAR SINGH R/O VILLAGE- MATIHANI, WARD NO.01, P.S.-
MATIHANI, DISTRICT- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 20-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in Matihani P.S. Case No. 98 of 2020 registered for the offences punishable under Section 120(B) of the Indian Penal Code and Sections 30(a) and 32 of the Bihar Prohibition and Excise Act, pending in the Court of learned Special Judge, Excise Act, Begusarai.

It is a case of recovery of illegal incriminating liquor from a pick up van bearing Reg. No. BR09M-3990 and a black colour Apache motorcycle bearing Reg. no. BR09H-2585, kept by the petitioner and other accused persons for selling it to the



retailers.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that in paragraph no.3 of the Supplementary Affidavit, it is stated that the petitioner is not the owner of the said Bolero pick up van and further Ravi Kumar Gayswal is the registered owner of Black colour Apache motorcycle. He further submits that there is no recovery from the conscious and constructive possession of the petitioner.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

From perusal of para-3 of the petition, it appears that the petitioner has three criminal antecedents, as such, it is not a fit case for grant of anticipatory bail. Prayer for anticipatory bail is rejected.

However, the petitioner is directed to surrender before the Court below and pray for regular bail, which may be considered without being prejudiced by this order.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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