

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2792 of 2023

Arising Out of PS. Case No.-29 Year-2021 Thana- PATORI District- Samastipur

SHARVAN KUMAR @ SHARVAN RAY SON OF BUTAN RAY R/O
VILLAGE- PATHARGHAT, NEW HARDASPUR TOLA, P.S.- PATORI
(MOHANPUR O.P.), DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Priyanka Sinha

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act pending in the learned court below.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 30 liters of country made liquor is said to have recovered from motor-cycle. He submits that petitioner is made accused in the present case because he is the owner of the said seized motor-cycle. He submits that there is no recovery



made from the conscious possession of the petitioner. He further submits that on the alleged day petitioner was not present at villaged home and in absence of petitioner one Rajiv Rai son of Nanhki Rai took his motorcycle from the family member for purchasing medicine and petitioner has no knowledge about the aforesaid incident. He further submits that petitioner has got three criminal antecedents in similar nature as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the petitioner is a member of the mob of illegal liquor supplier group which is also clear from the paragraph-3 of the bail application. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Patory (Mohanpur O.P.) P.S. Case No. 29 of 2021. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

