

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5795 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -NAWANGAR District- BUXAR

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1. Gopal Prasad Son of Sri Mithilesh Prasad Resident of village - Motha,
P.S. Gorari, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate.

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioner apprehends his arrest in Nawanagar P.S.
Case No. 158 of 2014, registered for the offences punishable
under Section 47 A of the Excise Act and Sections 272, 273 and
414 of the Indian Penal Code.

According to the prosecution case, the informant get
secret information that two persons were carrying country made
liquor on a motorcycle on such the motorcycle was intercepted
and one person was apprehended and another managed to flee
away. The apprehended accused disclosed the name of the
petitioner on the spot.

Learned counsel for the petitioner submits that the
petitioner is a student and he has got no criminal antecedent. The

name of the petitioner disclosed in the case by the apprehended accused.

It appears that the informant on getting secret information intercepted the motorcycle on which two persons were going on. However, one person managed to flee away, but another was apprehended. The apprehended accused disclosed the name of the petitioner. From the possession of the apprehended accused one motorcycle, 366 pouches kept in a jute bag containing country made liquor were recovered.

Considering the facts aforesaid and the fact that the petitioner managed to flee away, while another accused with whom the petitioner were carrying country made liquor was apprehended and he disclosed the name of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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