

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6725 of 2015

Arising Out of PS.Case No. -241 Year- 2014 Thana -NAWANGAR District- BUXAR

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1. Nagendra Singh S/O Late Bihari Singh @ Bihari Singh Yadav Resident
of Village- Karasar, P.S.- Nawanagar (Sonbarsha), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate.

For the Opposite Party/s : Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-02-2015 Heard both sides.

The petitioner apprehends his arrest in Nawanagar (Sonbarsha) P.S. Case No. 241 of 2014, registered for the offences punishable under different Sections of the Indian Penal Code and Section 47(A) (E) (F) of the Excise Act.

The informant got information that Santosh Yadav and his brothers were preparing illicit liquor and on such a raid was conducted. Huge quantity of spirit and other materials for preparing illicit liquor were recovered. One person Birendra Singh @ Birendra Yadav was apprehended and he is said to have disclosed the name of the petitioner.

Learned counsel for the petitioner submits that the petitioner is of course brother of Santosh Yadav, but he has no

manner of concern with the business of Santosh Yadav.

On perusal of records, it appears that the petitioner was also present at the site where raid was made, but when the police arrived there, the petitioner managed to flee away by the Bolero vehicle along with other accused persons. Birendra Singh @ Birendra Yadav was apprehended and he disclosed the name of the petitioner.

Considering the facts aforesaid and the fact that the petitioner and his brothers were alleged to have been preparing country made liquor, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that one of the co-accused Birendra Singh @ Birendra Yadav has already been enlarged on regular bail.

(Prabhat Kumar Jha, J.)

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