

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42224 of 2014

Arising Out of PS.Case No. -16 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

Mithun Paswan, Son of Sri Shiv Narayan Paswan, Resident of Village -
Tilauthu, P.S.- Tilauthu, Distt- Rohtas Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudama Singh, Advocate
Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in Excise Case
No. 16 of 2014 registered under Section 47(a) of the Excise Act.

According to the prosecution case, 800 kg.
fragmented mahua and 40 liters illegal wine was recovered from
the bank of Sone river and on seeing the police party, the
petitioner fled away from there.

Learned counsel for the petitioner has submitted that
though the alleged incident took place on 17th July, 2014 but the
prosecution report was transmitted to the Court after inordinate

and un-explained delay on 5.8.2014.

Be that as it may, taking into consideration the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders and seeks bail in the court below, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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