

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35257 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -KOTWALI District- PATNA

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1. Ranjit Paswan @ Athanni son of late Kailash Paswan resident of Village
- Kamla Nehru Nagar, P.S.- Kotwali, Dist. Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 14-09-2016

Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

The petitioner is facing accusations punishable under sections 47A of the Excise Act vide Kotwali P.S. Case No. 8 of 2016.

On getting an information that liquor was being illegally/unauthorisedly sold by some persons, the police visits the place of occurrence. Two accused persons taking advantage of the darkness escaped from the place. One person was offered chase and was arrested. 48 pieces of bottles containing 200 ml. of country made liquor was found stacked in the hut. One person arrested near the hut gave out the name of the petitioner as one of the accused who escaped and was also engaged in such unauthorized sale of the liquor.

Contention of the petitioner is that it is only the confessional statement of co-accused. Petitioner has no criminal antecedent.

Learned APP submits that the person arrested was found in possession of country made liquor. The statement of this witness would be relevant. The case is still at the very nascent stage.

Looking to the allegation and on perusal of the materials on record, I am not persuaded to enlarge the petitioner on anticipatory bail. Prayer is rejected.

In case the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit unprejudiced by the present order.

(Kishore Kumar Mandal, J)

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