

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32230 of 2016

Arising Out of PS.Case No. -177 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

- =====
1. Ramchandra Yadav son of Bhagi Lal Yadav resident of village- Tarwa,
Police Station- Siwan Muffasil, District- Siwan.
2. Umesh Kumar Yadav @ Umesh Kumar son of Rajnath Yadav, resident
of village- Lakhrao, Police Station- Siwan Muffasil, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Ramesh Chandra, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-08-2016 Learned counsel for the petitioners states that petitioner No.1, Ramchandra Yadav, has been arrested during the pendency of this application and his application for anticipatory bail has become infructuous.

Accordingly, this application as against petitioner no.1 above-named stands dismissed as having become infructuous.

Heard learned counsel for the parties.

This application for grant of anticipatory bail on behalf of petitioner No.2 arises out of Siwan Muffasil P.S. Case No. 177 of 2016, disclosing offences under Section 47(a) of the Bihar Excise(Amendment) Act, 2016.

The allegation against the petitioner No.2 is that in

breach of prohibition within the State of Bihar, he along with others indulged in illicit trade of liquor.

Learned counsel appearing on behalf of the petitioner has submitted that no recovery has been made from his conscious possession. However, from the First Information Report, it appears that there is allegation against the petitioner constituting offence under Section 47(a) of the Bihar Excise Act.

Therefore, I am not inclined to grant the petitioner No.2 above-named privilege of anticipatory bail.

His application, is, accordingly, rejected.

The petitioner No.2 above-named is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--