

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24050 of 2016

Arising Out of PS.Case No. -681 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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Rajesh Rajbanshi, S/o Chulhay Rajbanshi, resident of village/mohalla -
Chakpar (Tungi), P.S. - Hisua, District - Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Deo Raj, Advocate

For the Opposite Party : Mr. Parmeshwar Mehta(APP)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 16-06-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 47(A) of
Bihar Excise Act

The prosecution case is that 60 litres of country made
liquor and 400 Kgs. of Jawa Mahua recovered from the adda of
the petitioner.

Learned counsel for the petitioner submits that the
alleged seized article has not been recovered from the conscious
possession of the petitioner. It is further submitted that only on the
basis of suspicion, the name of the petitioner has falsely been
dragged in this case.

Having regard to the facts and circumstances of the case and nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail stands rejected.

However, if the petitioner surrenders before the trial Court within a period of four weeks from today and prays for regular bail, the same will be considered by the trial court on its own merit in accordance with law without being prejudiced by this order.

(Gopal Prasad, J.)

Rajiv/Amit

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