

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45638 of 2016

Arising Out of PS.Case No. -126 Year- 2016 Thana -BAUSI District- PURNIA

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Raj Kumar S/o Sri Prasad Jaiswal R/o Balthi Maheshpur, P.S.- Kursela,
Distt- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

4 14-12-2016 Heard the counsel for the petitioner.

No body appears on behalf of the State.

Apprehending his arrest in connection with Baisi P.S.
Case No. 126 of 2016 registered under section 273 IPC including
section 47(a) of the Bihar Excise (Amendment) Act, 2016, the
present application for grant of anticipatory bail has been filed.

In course of checking of the vehicle, one Auto occupied
by four persons was stopped. Two of them managed to flee away.
Rest two were, however, arrested. From the tempo huge quantity
of different brands of illegal liquor was recovered which was
being transported from Dalkola to Purnia. The two persons arrest
disclosed the name of the petitioner amongst those who managed
to flee away.

The contention of the petitioner is that he was not arrested



at the spot. Merely on the basis of the statement of two accused persons arrested at the spot he has been named as an accused.

Such statements of the co-accused(s) were made soon after the recovery of a huge quantity of liquor. The prosecution case is specific that the two persons managed to escape therefrom.

In the circumstances, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Prayer is accordingly rejected.

(Kishore Kumar Mandal, J)

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