

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45856 of 2016

Arising Out of PS.Case No. -268 Year- 2016 Thana -BARAUNI District- BEGUSARAI

=====

Gautam Kumar, son of Jagdish Singh alias Budho Singh, resident of village- Bihat,
Tola- Jagir, PS.- Barauni (FCI), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Prasad Verma, Advocate.

For the Opposite Party/s : Mr. Md. Arif, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 20-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with Barauni
P.S. Case No. 268 of 2016 dated 13.07.2016 registered under Sections
290/188 of the Indian Penal Code and 53(a)/47(a) of the Bihar Excise
Amendment Act, 2016.

The allegation against the petitioner is that he has supplied the
liquor, which was found in the premises of Prince Hotel.

Learned counsel for the petitioner submits that he is living in
the vicinity of the Hotel and because there used to be differences, the
Manager has falsely implicated him. It is further submitted that there is no
recovery from him and also that he has no criminal antecedent, being a
student.

Learned A.P.P. submits that as per the law, the offence is made
out and grave in nature.

Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, this Court is not inclined to grant anticipatory bail to the petitioner. The application, accordingly, stands dismissed.

However, in the event the petitioner surrenders and seeks regular bail before the court below, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order, preferably on the same day.

(Ahsanuddin Amanullah, J)

Sujit/-

U			
---	--	--	--