

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14193 of 2016

Arising Out of PS.Case No. -146 Year- 2015 Thana -BASANTPUR District- SIWAN

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Viresh Singh @ Biresh Singh S/o - Sri Rama Singh Resident of Village -
Dharambari, P.S. - Baikunthpur, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party : Mr. Ajay Kumar No.1, (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-04-2016 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 308 of the of the Indian Penal Code as well as under Section 47(A) of the Excise Act.

The police intercepted two persons moving on a motorcycle, but seeing the police they started fleeing away. One person was apprehended by the police and the other person fled away from the place of occurrence. The apprehended accused disclosed the name of the petitioner who fled away from the place of occurrence.

Learned counsel for the petitioner submitted that the petitioner was not apprehended at the spot. He was pillion rider.

Nothing has been recovered from the possession of the petitioner, but it appears that 40 liters of spirit contained in a jar was being taken. The petitioner and Md. Taufique were carrying the spirit. It is further submitted that the petitioner is not the owner of the vehicle.

Considering the nature of allegation against the petitioner that he was also sitting on the same vehicle on which spirit was being carried, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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