

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13782 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -NAWANGAR District- BUXAR

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Kamlesh Singh @ Kamalesh Singh, son of Suresh Singh, resident of village-Amsari, P.S.-Murar, District-Buxar. At present address- Lakarka 6 No., Katrasgarh, Dhanbad (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-03-2017 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 Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Excise (Amendment) Act, 2016.

From the vehicle of the petitioner liquor was recovered on 06.01.2017.

Submission is that the petitioner was not at the spot. He had left the vehicle for use of the parents, but one of the friends took the vehicle in the Barat. Hence, nothing was recovered from the conscious possession of this petitioner.

Considering the presumptions of accusations after new amendment in the Excise Act as well as provisions under Section



76 of the Act, this anticipatory bail application is not maintainable.

Accordingly, the same is dismissed.

Arvind/-

(Birendra Kumar, J)

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