

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31706 of 2016

Arising Out of PS.Case No. -167 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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1. Bipin Mandal, S/o Late Ramnath Mandal, R/o village Murliganj, Goshala Chowk, Ward No. 4, P.S. Murliganj, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-03-2017 The petitioner is apprehending his arrest in connection with Murliganj P.S. Case No. 167 of 2016, registered for offences punishable under Sections 47(A) Excise Act.

Allegation is of recovery of 22 litres of country made liquor.

It has been submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner and his name has been disclosed by the co-accused of this case and except that there is nothing against the petitioner.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, no doubt, from perusal of the case diary, it appears that petitioner's name has come in this case only on the basis of confessional statement but considering the



fact that petitioner has criminal antecedent as he is accused in three other cases of similar nature as the present one, as such, I am not inclined to grant the petitioner the privilege of anticipatory bail, it is accordingly rejected.

However if the petitioner surrenders before the court below and pray for regular bail, his application shall be considered by the court below on the merit of the case without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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