

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19245 of 2017

Arising Out of PS.Case No. -393 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

=====

Bhola Mahto, Son of Ram Padarath Mahto, Resident of village- Panhas,
Police Station- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Jha, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2017

This is an application for grant of anticipatory bail for offences punishable under Section 414 of the Indian Penal Code read with Section 47(a)/49/57 of the Bihar Excise Amendment Act, 2016.

Allegation, as per F.I.R., is that from one Bolero vehicle huge quantity of foreign liquor was recovered and one lady was apprehended on the spot, who disclosed the name of the petitioner and hence, petitioner is named in the F.I.R.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that although name of the petitioner has come on the basis of disclosure of the co-accused but no recovery from the possession of the petitioner nor from his house has been made. He has no



criminal antecedent.

Heard learned A.P.P. also. He has opposed the prayer for anticipatory bail on the ground that that petitioner is named in the F.I.R.

Having heard both sides and considering the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner.

However, petitioner may surrender in the court below, i.e., learned C.J.M., Begusarai, in connection with Begusarai Town P. S. Case no. 393 of 2016 and make prayer for regular bail which will be considered on the fact that nothing has been recovered from the possession of the petitioner and his name has been disclosed by a lady and also on the basis of materials available on record without being prejudiced by the order of this Court.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

sudip/-

U		T	
---	--	---	--

