

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10580 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -RIVILGANJ District- SARAN

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1. ASHOK KUMAR SAH@ ASHOK SAH, S/o Late Yogendra Sah, R/o.
Vill. Dumar San Bazar, P.S. Mashrakh, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-03-2017 Heard both sides.

The petitioner apprehends his arrest in Rivilganj P.S.
case No.05 of 2017 under Section 30, 30(A), 38 of the Excise Act.

The police intercepted a truck bearing registration
No. UP81 BT 4495 and arrested driver of the truck and huge
quantity of Indian made foreign liquor were recovered from the
truck kept under vegetables. Two persons and driver of the vehicle
were apprehended, who disclosed the name of the petitioner and
other accused persons.

It is submitted that petitioner was not apprehended on
the spot and nothing has been recovered from his possession.
Name of the petitioner figured in the case in the confessional
statement of co-accused but it appears that petitioner is accused in



Marhowrah P.S. case No. 355 of 2011 registered under Sections 272, 273, 420, 467, 468, 471, 120B/34 of the IPC and 47(a) of the Excise Act.

Considering the fact that, of course, the name of the petitioner figured in the case in the confessional statement of the co-accused but the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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