

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25636 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Nitesh Singh, son of Ramadhar Singh, resident of Village- Madhopur,
Police Station- Madhuban, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-07-2017 Heard Sri Anil Kumar, learned counsel for the

petitioner and Sri (Dr.) Mrityunjaya Kumar Gautam, learned Addl.

Public Prosecutor.

The sole petitioner, apprehending his arrest in
Madhuban P.S. Case No.85 of 2017 registered for the offence
under Sections 272, 273, 188 of the Indian Penal Code and Section
30(A), 38(A), 38(B), 38(C) of the Bihar Prohibition and Excise
Act, 2016, has prayed for grant of bail in the event of his arrest or
surrender, on the plea that the petitioner has falsely been
implicated in the present case. It was submitted by learned counsel
for the petitioner that recovery of huge quantity of Indian make
foreign liquor was affected from a locked room of the Panchayat
Bhawan and falsely, it was indicated that the petitioner was



involved in carrying said wine and keeping the same and that petitioner after noticing the raiding party fled away. He submits that the petitioner's name was disclosed by unknown person to the police and, as such, a prayer has been made for extending the privilege of anticipatory bail.

However, Sri Mrityunjay Kumar Gautam, learned Addl Public Prosecutor opposing the prayer for bail of the petitioner submits that the petitioner himself has stated in paragraph-3 of the petition that he is accused in other two cases; one in relation to Excise Act and other in relation to serious offence and 27 of Arms Act.

Considering the nature of accusation as well as the fact that the petitioner is also accused in other two cases, there is no reason to extend the privilege of anticipatory bail to the petitioner. The petition stands dismissed.

(Rakesh Kumar, J)

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