

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16798 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -GAYGHAT District- MUZAFFARPUR

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1. ABHISHEK KUMAR @ VIKKU SINGH, Son of Satnav Singh @ Santawan Singh @ Ravi Ranjan Singh, resident of Village- Ram Nagar, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar
Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with G.R.No.274 of 2017 arising out of Gaighat P.S.Case No.11 of 2017 registered for offences punishable under Sections 272, 273, 290 and 120B of the Indian Penal Code and Section 30(A) and 35 (A) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of huge quantity of liquor from the land of the petitioner.

It is submitted on behalf of the petitioner that it is open land and an orchard is there as well as the land is vacant, as such it can not be said that the land is in possession of the petitioner.

Heard learned A.P.P. also.



Having heard both sides and in view of Section 76 (ii) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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