

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51585 of 2018

Arising Out of PS.Case No. -433 Year- 2018 Thana -NAWADA District- NAWADA

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Deepu Kumar son of Shambhu Mistri Resident of Village - Akauna, Police
Station - Muffasil, District Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case
registered under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 54 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake of
fact. The alleged recovered liquor is denied by the petitioner.
There is no other substantial evidence to suggest the implication of
the petitioner in the present case. The motorcycle in question does



not belong to the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the FIR. He is alleged to have fled away from the police custody after his arrest.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Nawada Town P.S. Case No. 433 of 2018 is rejected.

Anyhow, if the petitioner surrenders in the court below and seek regular bail, same shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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