

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31804 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- Madanpur District- Aurangabad

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Babu @ Sanjeet Singh, Son of Late Satyanarain Singh @ Tappu Singh, R/o
Village- Anjan, P.S.- Madanpur, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh
For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 26-06-2018 Heard Sri Birendra Kumar Singh, learned counsel
for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
Madanpur P.S. Case No. 94 of 2018 registered for offence under
Sections 30(a), 30(d) of Bihar Prohibition and Excise Act, 2016,
has prayed for grant of bail in the event of his arrest or
surrender.

Learned counsel for the petitioner, at the very outset,
has drawn my attention to statement made in paragraph – 3 of
the petition to show that petitioner is having clean antecedent.
He further submits that in the case, nothing was recovered from
conscious possession of the petitioner or from the house, rather
in the case, recovery of about 35 liters of spirit was effected
from the courtyard of one Radha Kunwar i.e. co-villager and



petitioner has falsely been implicated.

However, after going through the F.I.R., it is evident that some villagers had complained that petitioner and other forcibly had kept spirit in the courtyard of one Radha Kunwar, who was a widow and mentally sick. Thereafter, a raid was conducted and recovery was effected. Even in the F.I.R., it was indicated that villagers also stated before the police that this petitioner was instrumental in keeping the spirit in the house of Radha Kunwar.

In view of facts and circumstances, I do not find any ground to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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