

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32615 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- RAJPUR District- East Champaran

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Dinesh Ram, Son of Sri Ram Narayan Ram, Resident of village- Kothia,
P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Shashank Shekhar, Advocate

For the Opposite Party/s : Sri Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 03-07-2018 Heard Sri Shashank Shekhar, learned counsel for the

petitioner and Sri Tapeswar Sharma, learned Additional Public

Prosecutor.

The sole petitioner, apprehending his arrest in connection with Rajepur P.S. Case No. 20 of 2018 , registered for the offence under Section 302, 120-B , 414/34 of the Indian Penal Code, 1860 and Section 30(a), 45 of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as the “Excise Act”) , has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that petitioner has been made accused in the confessional



statement of the co-accused, otherwise, there is no material to connect him in the present case. It has been reiterated that save and except confessional statement, there is no other material against the petitioner.

Besides hearing, I have perused the materials available on record. On going through the F.I.R. it is evident that two vehicles containing huge quantity of Indian make foreign liquor was tried to be stopped by Police party in which Police party succeeded to intercept one vehicle, however, another vehicle intentionally dashed one of the Constables and killing him fled away and second vehicle succeeded in fleeing away. The person who was found on the intercepted vehicle i.e. Honda City categorically gave detail as to how two vehicles moving were noticed by him. Subsequently, both vehicles were loaded with huge quantity of Indian make foreign liquor. Thereafter, the person who was arrested loaded liquor and thereafter he was arrested. Fact remains that huge quantity of Indian make foreign liquor was recovered. Besides this, from perusal of statement made in paragraph no. 3 of the petition it is evident that petitioner is a habitual offender and earlier also he was made accused in at least two cases relating to offence under the Excise Act.



Accordingly, 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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