

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49070 of 2018

Arising Out of PS. Case No.-308 Year-2018 Thana- NARPATGANJ District- Araria

Md. Jamil, Son of Md. Nijam @ Nijam, Resident of Village- Bairia Arazi,
Ward No. 08, Police Station- Birpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Narpatganj
(Ghurna) P.s. case No.308 of 2018, Special case No.632 of 2018
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016, pending in the court of 2nd Addl. Sessions
Judge, Araria.

The prosecution case, in short, is that 59.100 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 falsely been implicated in the
present case. The case has been instituted due to mistake of fact.
There is no substantive evidence to suggest the implication of



the petitioner in the present case. It is alleged that 59.100 liters wine is recovered.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He was taken into police custody, from where he fled away and subsequently for that a separate case i.e. Narpatganj (Ghurna) P.S. case No.309 of 2018 was instituted against the petitioner and thereafter the present anticipatory bail application has been preferred.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

Any how if the petitioner surrenders in the court below and prays for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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