

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41509 of 2018

Arising Out of PS.Case No. -307 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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Ampu Singh son of Mithlesh Singh @ Mithalesh Singh, resident of Village-
Mani Chack, P.S.- Islampur, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2018 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
Amend Act, 2016.

The prosecution case, in short, is that 3 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 is a tenant in the house from where the
alleged recovery is said to have been made. Except for this, there
is no other substantive evidence to suggest the implication of the
petitioner in this case. It is alleged that 3 liters wine is recovered



from the house of Roshan Kumar. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner has got criminal antecedent.

Considering the fact that the petitioner has got criminal antecedent, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Islampur P.S. Case No. 307 of 2017 is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered and disposed of, preferably on the same day, on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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