

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51924 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- SARAI District- Vaishali

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Bablu Kumar @ Balua @ Bablu S/o Rajendra Rai @ Rajan Rai, resident of
Village- Mansurpur, P.S. Sarai, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-10-2018 Heard Sri Anish Chandra, learned counsel for the

petitioner and Sri Shyameshwar Dayal, learned Addl. Public

Prosecutor.

The sole petitioner, apprehending his arrest in Sarai
P.S. Case No. 108 of 2018 registered for the offence under
Section 30(a) of the 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 submits that the
petitioner has falsely been implicated in the present case. He
submits that nothing was recovered from conscious possession
of the petitioner, rather in this case, recovery of Indian Make
Foreign Liquor was shown, which was buried near a tube well.
On the aforesaid ground, he has argued for extending the
privilege of anticipatory bail, whereas Sri Shyameshwar Dayal,



learned Addl. Public Prosecutor, by way of referring to the statement made in paragraph-3 of the petition, submits that the petitioner appears to be habitual offender. He submits that prior to lodging of the present case, the petitioner was made accused for the offence under the provision of Bihar Prohibition and Excise act, 2016 and one another case was also pending against him for the offence under Section 307 of the Indian Penal Code and SC/ST Act.

Considering the fact that petitioner was earlier also made accused relating to offence under the Excise Act, I am of the opinion that it is not a fit case for grant of anticipatory bail.

The anticipatory bail petition stands dismissed.

(Rakesh Kumar, J.)

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