

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4099 of 2019

Arising Out of PS. Case No.-366 Year-2018 Thana- BARHARA District- Bhojpur

Dablu Singh, aged about 31 years, Male, son of Ram Narayan Singh,
Resident of Village- Nathmalpur, P.S.- Barhara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Excise Case No.1445 of 2018, arising out of Barhara P.S. Case No. 366 of 2018, registered for the offences punishable under Sections 414 and 120(B)/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the alleged recovery of ten liters of illicit liquor is from the husk house of the petitioner and it may be an act of anybody who might have concealed the illicit liquor in the said room which was not having any lock and key.

Learned APP for the State however submits that this petitioner was a member of the group which was involved in



selling illicit liquor and when some of the members were arrested by police, at their instance the recoveries have been made from Khaparposh house of the petitioner. It is further submitted that the petitioner has criminal history as he has got one more case though he is on bail in the said case.

In the given facts and circumstances of the case, considering that the alleged recovery is said to have been at the instance of the arrested accused persons from Khaparposh house of this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. In case, he surrenders in the court below within a period of four weeks from today and prays for regular bail, the same shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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