

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9514 of 2019

Arising Out of PS. Case No.-494 Year-2018 Thana- TRIVENIGANJ District- Supaul

Suman Kumar, aged about 27 Years, Male, Son of Singheshwar Sah, Resident of Village-Mirjawa, Ward No.13, P.S.- Triveniganj, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner, no one appears on behalf of the State to oppose this application .

Petitioner is seeking anticipatory bail in connection with Triveniganj P.S. Case No. 494 of 2018 registered for the offences punishable under Section 30 (A) of Bihar Prohibition of Liquor and Excise Act, 2016.

Learned counsel for the petitioner submits that the recovery of illicit liquor is from the house and the vehicle which are standing in the name of father of the petitioner but when the father and elder brother were arrested with the illicit liquor, they alleged involvement of this petitioner in the business of illicit liquor.

Normally, in case of the petitioner being involved on the basis of the confessional statement alone, this Court has



been taking a view whereunder privilege of anticipatory bail has been extended but in this case, the Court has a reason to differ because it is non-else than the father and elder brother of the petitioner who have come forward to say that the petitioner is involved in the alleged liquor business. This being the position, I am not inclined to grant anticipatory bail to the petitioner.

The application is dismissed.

In case the petitioner surrender and prays for regular bail in the learned Court below, the same shall be considered by the learned Court below on its own merit and shall not be rejected only because this Court has refused to grant anticipatory bail to the petitioner.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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