

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13898 of 2019

Arising Out of PS. Case No.-415 Year-2018 Thana- HILSA District- Nalanda

Sanjay Prasad aged about 30 years (Male), Son of Chandrashekhar Prasad
Resident of Village - Mina Bazar, Bhat Bigha, P.S.- Hilsa, District- Nalanda
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Hilsa P.S. Case No. 415/2018 registered under Sections 30(d) of Bihar Excise Prohibition Amendment Act, 2016 and Sections 467, 468, 471 and 420 of the I.P.C., pending in the court of learned 3rd Additional Sessions Judge, Nalanda at Biharsharif.

Learned counsel for the petitioner submits that the seizure of illicit liquor is from a place with which the petitioner has got no concern. It is further submitted that it is a case of false implication in the confessional statement of co-accused who was arrested by the police.

On the other hand, learned A.P.P. for the State submits that the name of the petitioner has transpired in the confessional statement as also he has got criminal antecedent which will be



apparent from the statement made in paragraph-3 of the application. The petitioner was involved in one more case of the similar nature. There are altogether three cases against him.

Considering the facts and circumstances of the case wherein it is the submission of learned A.P.P. that petitioner has got criminal antecedent and one of the cases is under the provisions of the Excise Act itself, this court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is refused.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, the same shall be considered on it's own merit without being prejudiced by the orders of this court.

(Rajeev Ranjan Prasad, J)

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