

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16665 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- SIKTI District- Araria

MD. HELAL aged about 36 years Male, Son of Md. Alim Resident of Village
- Late Kharid Ward no.10, P.S.- Sikty, Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Special Case No. 75 of 2019 arising out of Sikty P.S. Case No. 03 of 2019 registered under Sections 30(a) of Bihar Prohibition and Excise Act, 2016, pending in the court of learned 2nd Additional Sessions cum Special Judge, Araria.

Learned counsel for the petitioner submits that his name has transpired allegedly on a secret information. It is submitted that the seizure has been made from a motorcycle which does not belong to this petitioner and there is no material to connect him with the present case.

Learned A.P.P. for the State submits that a case of similar nature is there against the petitioner and therefore petitioner does not deserve the privilege of anticipatory bail as



he seems to have been indulged again in similar offence.

Considering the facts and circumstances of the case since there is one case of similar nature against the petitioner, this court is not inclined to grant anticipatory bail to the petitioner but then taking note of the submission of learned counsel for the petitioner according to which the name of the petitioner has been involved in this case on the alleged secret information, 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 by the court below on the same day and shall be disposed of on the basis of the materials available on the record.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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