

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33947 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- GAYA MUFASIL District- Gaya

SANTOSH SAW @ SANTOSH KUMAR Son of Mahabir Sao Resident of
village- Nauranga, P.S.- Muffasil, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Muffasil P.S. Case No. 92 of 2018 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of statement made by apprehended accused. It is alleged that the petitioner was along with two youths who had fled away when the Police party were chasing them to catch hold.

Learned counsel submits that there is no recovery of illicit liquor from the house of the petitioner.

Learned APP for the State submits that the petitioner was among the four persons who were fleeing away after seeing



the Police party, two of them were caught but two others fled away from the said place. Those persons disclosed that they were loading the illicit liquor on the vehicles. They also disclosed that this petitioner was one of the accused who fled away and he is facing one case of similar nature in which he had been sent to jail.

In the given facts and circumstances of the case where the name of the petitioner has transpired in the statement of apprehended accused and he is having criminal antecedent of a case of similar nature in which he was earlier sent to jail, this Court is not inclined to extend him the benefit of anticipatory bail. His prayer is, thus, refused.

(Rajeev Ranjan Prasad, J)

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