

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38646 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- SIKTI District- Araria

SHRAWAN SADA @ SARBAN SADA aged about 40 years, Male, S/O Kamala Sada Resident of Village- Aanwlabari Ward No.3, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 20-09-2019 Heard learned counsel for the petitioner. No one appears on behalf of the State to oppose the application.

The petitioner is seeking anticipatory bail in connection with Sikty P.S. Case No. 40 of 2019 corresponding to Special Case No. 460/2019 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the court of learned 2nd Additional Sessions cum Special Judge, Araria.

As per F.I.R. on 21.03.2019 when the informant was on patrolling duty he got information that some villagers of Singhiya have captured illicit Napali wine, when he reached the place of occurrence and on being asked, the villagers disclosed that the illicit liquor was carrying on motorcycle by the petitioner and he fled away getting the benefit of darkness.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case only on mere suspicion.

Considering the facts and circumstances of the case, wherein it is alleged that the petitioner was riding the motorcycle which was intercepted by villagers and from the motorcycle illicit liquors were recovered but the petitioner fled away getting benefit of darkness, this court is not willing to extend the privilege of anticipatory bail.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered without being prejudiced by the order of this court.

This application stands dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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