

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76837 of 2018

Arising Out of PS. Case No.-466 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

Bitu Mali, Son of Krishna Mali, Resident of Village- Kudra, P.S.- Kudra,
District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Dr. (Ms.) Indihar Kumari

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kudra Police Station Case No. 466 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').

The police recovered huge quantity of illicit liquor from the house of the main accused, Banka Pandey.

Learned counsel appearing on behalf of the petitioner, referring to the First Information Report, appears to be correct in his submission that except for the allegation that the police received secret information in respect of involvement of this petitioner also in commission of the offence, there is no other



allegation in the First Information Report.

Since this application is not maintainable, it is, accordingly, dismissed.

However, considering the nature of allegation in the First Information Report, it is directed that if the petitioner, Bitu Mali, surrenders before the Court below within four weeks from today and applies for regular bail, his application shall be considered on the same day on its own merit without being prejudiced by dismissal of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J.)

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