

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32720 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- SOHSARAI District- Nalanda

Khodi Paswan @ Rajesh Paswan, Son of Nago Paswan, Resident of Village -
Shingar Hat, P.S.- Sohsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2019 This is an application for grant of anticipatory bail in connection with Sarai P.S. Case No. 79 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation as per F.I.R. is that police got a secret information that petitioner is selling illicit liquor, on that information, police party proceeded to Mugul Kuan and when they reached near mosque, they saw that one person fleeing away after throwing the bag and he was identified as the petitioner and from the bag 18.8 liters of liquor has been recovered.

Submission of the learned counsel for the petitioner is that his identification is doubtful and he has no criminal antecedent.



Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that police on information that petitioner was selling illicit liquor and raided the place of occurrence and recovered the liquor and he was identified by a police personnel himself and as such, at present there is a *prima facie*, hence this application is not maintainable.

Having heard both sides, in view of the allegations, I am not inclined to grant privilege of anticipatory bail to the petitioner.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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