

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42871 of 2019

Arising Out of PS. Case No.-232 Year-2018 Thana- LAUKAHA District- Madhubani

MD. IMRAN S/o Vasir R/o village- Ghormohan (Lalmania), P.S.- Laukaha,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-07-2019

Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with Laukaha P.S. Case No. 232 of 2018, corresponding to G.R. No. 1362 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code, including Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (for short 'the Act of 2016').

Learned counsel for the petitioner states that, though he is not named in the FIR nor there is any material to connect him with the allegation made in the FIR, he is being unnecessarily harassed by the police for his arrest in connection with the above-noted case. The petitioner has described himself to be the son of Vasir.



If the petitioner is not an accused in the case, I fail to understand the basis for the petitioner to approach this court for grant of anticipatory bail.

This application is otherwise also not maintainable in view of the provision under Section 76(2) of the Act of 2016. It is accordingly dismissed.

However, the petitioner is directed to surrender in the court below within four weeks from today and seek regular bail, if so advised. If he does so, the court below shall consider his prayer for regular bail on its own merit, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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