

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42314 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Bablu Yadav Son of Nand Lal Yadav @ Nande Yadav, Resident of Village-
Kavilasi, P.S.- Singhiya, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bhubneshwar Prasad, Advocate
For the Opposite Party/s : Mr.Manoj Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-09-2019 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 Kuseshtar Asthan P.S. Case No. 59 of 2019 registered for the offences punishable under Sections 30(a), 38(1), 41(1)/47 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that it is a case of false implication, inasmuch as, the name of the petitioner has transpired in the statement of the apprehended accused.

Learned APP for the State, however, submits that amongst the apprehended accused, one Rajo Yadav who



happens to be the father-in-law of this petitioner has named him and therefore, it cannot be said to be a case of false implication. Further it is submitted that the petitioner is involved in a similar offence for which Biraul P.S. Case No. 22 of 2017 is pending against him.

Considering the facts and circumstances of the case wherein his own father-in-law has named the petitioner and then the petitioner has got a criminal antecedent, this Court is not willing to extend the privilege of anticipatory bail to the petitioner. The prayer for anticipatory bail is refused.

However, if the petitioner surrenders and prays for regular bail within a period of four weeks from today before the learned court below the same shall be considered on its own merit on the basis of the materials available on the record without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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