

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44060 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- KUNALI District- Supaul

Md. Abbas, aged about 21 years, Male, Son of Md. Nuro Resident of Village -
Kamalpur, P.S.- Kunauli, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with S.T. Excise 200 of 2019 arising out of Kunauli (Dagmara O.P.) P.S. Case No. 16 of 2019 registered for offences under sections 30(A) of the Bihar Prohibition and Excise Act-2016.

As per prosecution story, on receipt of secret information, the police reached at the spot, after seeing the policy party, the accused persons left their motorcycle along with bag and started to flee away but, one person was arrested. The apprehended persons disclosed the name of the present petitioner. On search, the police recovered 50.7 liters of Nepali liquor.



Learned counsel for the petitioner submits that it is an unbelievable story that some persons will keep the liquor in the Chawk. At the same time, the persons who have identified as a witness on seizure list are the villagers as also the person, who was apprehended by the police, was also a villager. He has further submitted that the person who was apprehended has already been granted bail by this Court vide order dated 8.5.2019 passed in Cr. Misc. No. 30669 of 2019.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected.

If the petitioner surrenders before the court below within a period of three weeks from today and makes a prayer for bail, the court below, without being prejudiced by this order, will pass orders in accordance with law.

(Shivaji Pandey, J)

rishi/-

U		T	
---	--	---	--

