

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76830 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- MOKAMAH District- Patna

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Ramphal Singh @ Ramphal, S/o Albela Singh, R/o Village- Shivnar, P.S.-
Mokama, Barh, Dist- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh
For the Opposite Party/s : Ms. Meena Singh

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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 Mokama Police Station Case No. 206 of 2018, disclosing offence under Sections 30(a)/41 of Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

Learned Counsel for the petitioner has attempted to convince this Court that even if the allegation, as made in the First Information Report, is considered to be true, no offence under the provisions of the Act is made out against this petitioner. Referring to the First Information Report, it is being submitted that allegedly, from an abandoned jeep, huge quantity of country-made liquor was recovered by the police on the basis



of secret information. The name of the petitioner has cropped up on the basis of disclosure made by the local people. Over and above this, there is no allegation even to the extent that the local people disclosed that the articles, so recovered, belong to this petitioner.

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, Ramphal Singh @ Ramphal, 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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