

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79476 of 2018

Arising Out of PS. Case No.-488 Year-2018 Thana- BRAHMPUR District- Buxar *

1. Munna Prasad Son of Late Bansari Prasad, Resident of Village- Dumrao Bazar, Police Station - Dumrao, District- Buxar Bihar.
2. Pankaj Kumar Gupta, Son of Late Sachitanand Prasad Resident of Village - Phesra, Police Station- Pawthun, District- Aurangabad Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Sri Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-03-2019 This application, for grant of anticipatory bail, arises out of Brahmpur P.S. Case No. 488 of 2018, disclosing offences under Sections 30(a)/47 of the Bihar Prohibition of Excise (Amendment) Act, 2018.

Allegation is of recovery of 41 litres of liquor from the co-accused, who named the petitioner supplier. Apart from that petitioners are accused in one more case of similar nature.

Submission of learned counsel for the petitioners is that nothing has been recovered either from the possession of the petitioner or from their instance rather the F.I.R itself shows that they have been made accused only on the basis of disclosure made by the co-accused and except that there is



nothing against the petitioners.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances as well as the fact that petitioners are accused in one more case of similar nature, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners should surrender before the court below and make prayer for regular bail and if any such application is filed, the court shall consider the same and shall pass an appropriate order, if possible on same day, without being prejudiced by this order.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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