

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64856 of 2019

Arising Out of PS. Case No.-212 Year-2019 Thana- OBRA District- Aurangabad

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Bittu Kumar, Son of Dinesh Kumar Gupta, Resident of Village - Sonbarsa,
P.S.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-10-2019 This is an application for grant of anticipatory bail in connection with Obra P. S. Case No. 212 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act.

As per F.I.R. police intercepted one Maruti Suzuki Van and there was huge quantity of liquor from the said vehicle. It is also alleged that in the meantime, some miscreants on the motorcycle came, but on seeing the police party, one of them succeeded in fleeing away and another person was arrested by the police and from the motorcycle 10 liters of illicit liquor was recovered. Later on, name of the petitioner was disclosed by the arrested person saying that it was the petitioner on motorcycle and he succeeded in fleeing away.

Submission of the learned counsel for the petitioner is



that except confessional statement of the co-accused, there is nothing against this petitioner. He is not owner of the motorcycle.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides, in view of the facts, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, if he surrenders before the learned court below and make prayer for regular bail and the court below has to verify the above submission from the case diary as to what are the materials against this petitioner and considering the same pass an appropriate order.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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