

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71063 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- HATHAURI District- Samastipur

Shankar Mandal Son of Ramudit Mandal, Resident of Village - Parasa, P.S.-
Hathauri (O.P. Shivajinagar), Distt.- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Hathauri P.S. Case No.57 of 2019 registered for offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. the police, on secret information that about twelve persons including the petitioner were unloading huge quantity of liquor from a truck, conducted a raid but accused persons succeeded in fleeing away.

Submission of learned counsel for the petitioners is that there is no specific allegation against the petitioner and he has been falsely implicated at the instance of enmity and due to local politics in connivance with the police. He submits that some of accused persons have been granted privilege of



anticipatory bail vide order dated 04.11.2019 passed in Cr.Misc.No.51774 of 2019.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail on the ground that the petitioner has criminal antecedent having same nature of offence

In view of facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however petitioner is directed to surrender before the court below and make a prayer for regular bail. If petitioner surrenders before the court below and prays for regular bail, the learned court below shall consider the same without being prejudiced with this order in accordance with law preferably on the same day.

With above observation, this application is disposed of.

(Vinod Kumar Sinha, J.)

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