

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72540 of 2019

Arising Out of PS. Case No.-339 Year-2019 Thana- JOKIHAT District- Araria

MD. WARIS Son of Mojib Resident of Village - Choukta, P.S.- Jokihat
(Mahalgaon O.P.), Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Jokihat P. S. Case No. 339 of 2019 dated 01.09.2019 (Special Case No. 1137 of 2019) instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Though, nothing has been recovered from the possession of the petitioner but he has been named by one Md. Tanveer, from whose possession, 84 bottles of cough syrup was recovered. However, I am not inclined to grant anticipatory bail to the petitioner for the reason



that he has been made accused in another case which was registered prior to the institution of the subject F.I.R.

The argument of the learned counsel for the petitioner that in the earlier case also, the petitioner was made accused on the basis of suspicion and has been named by another accused person, does not impress this Court for grant of anticipatory bail.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account the aforesaid facts and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition has not been entertained by this Court.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

