

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3395 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Ashik Kumar @ Ashik Yadav son of Kamlesh Yadav Resident of Village -
Nauru, P.S.- Paras Bigha, District - Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner. The name of learned A.P.P. is not printed in the cause list, however learned A.P.P. Incharge of the court is present.

The petitioner is seeking anticipatory bail in connection with Makhdumpur P.S. Case No. 379 of 2018 (Excise Case No. 1013/2018) registered under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016, pending in the court of learned Special Judge (Excise), Jehanabad.

Learned counsel for the petitioner submits that when the Police recovered the alleged illicit liquor of 1167 liters approximately at the instance of the arrested accused, the confessional statement was made before the Police in which it is stated that this petitioner was dealing in the illicit liquor business in absence of Ripu Yadav @ Abhishek Yadav who is in jail.



Learned counsel submits that apart from the confessional statement there is no other material to connect this petitioner with the present case.

Learned A.P.P. Incharge of the court submits that from paragraph-3 of the present application it appears that petitioner is also an accused in Paras Bigha P.S. Case No. 24/2018 and Paras Bigha P.S. Case No. 16/2018, out of which Paras Bigha P.S. Case No. 16/2018 is of similar offence.

Considering the petitioner has got criminal antecedent, this court is not willing to grant privilege of anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is refused.

In case, the petitioner surrenders and prays for regular bail in the court below, the same shall be considered on its own merit on the basis of the materials available on the record without being prejudiced by the orders of this court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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