

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3280 of 2020

Arising Out of PS. Case No.-428 Year-2019 Thana- NAANPUR District- Sitamarhi

RAUSHAN KUMAR Son of Late Lakshman Ray Resident of Village -
Nowadih, P.S.- Nanpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-01-2020

This application, for grant of anticipatory bail, arises out of Nanpur P.S. Case No. 428/2019, disclosing offences under Sections 30 and 30(a) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 10 litres of country made liquor and 40 litres solution of jaggery and 2 kg cork of bottle and 180 pieces empty bottles of 100 M.L. size from the house of Ram Surat Rai and said Ram Surat Rai was arrested on spot, who disclosed the name of petitioner as the person, who succeeded in fleeing away.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case only because, he happens to be brother of co-accused Ram Surat Rai.



Learned counsel for the State opposed the prayer for bail and submitted that the name of petitioner has been disclosed by none other than his brother.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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