

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76817 of 2019

Arising Out of PS. Case No.-414 Year-2019 Thana- KHAJEKALA District- Patna

SANTOSH KUMAR Son of Sakaldev Paswan R/o - Bahari Begampur,
Chainpura, P.S. - Bypass, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

A bag was recovered from an auto rickshaw and the occupant of the bag fled away throwing the same thereat. From the bag, liquor was recovered and the PAN card, ATM card and Aadhar card, in the name of the petitioner, made it clear to the authorities that the bag and liquor was of the petitioner. The offence is punishable with minimum imprisonment of ten years which may extend to life imprisonment and fine of rupees two lacs.

Submission of the learned counsel for the petitioner is that petitioner has got no criminal antecedent. He is a bank



employee. He had handed over the ATM card etc. to his son for filling up form and the bag got missing and thereafter on suspicion, the petitioner has been implicated in this case.

Considering the material available on the record, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Khajekala Police Station Case No. 414 of 2019 pending in the court of learned Special Judge, Excise, Patna.

Hence, prayer for anticipatory bail is refused.

In the event of surrender and on prayer for regular bail, the court below shall consider the same without being prejudiced by this order.

(Birendra Kumar, J)

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