

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.959 of 2020

Arising Out of PS. Case No.-10 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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LAL BABU RAM Son of Kelu Ram @ Kailu Ram Resident of Village -
Khatuaha, P.O.- Khairi, P.S.- Khanpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra
For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Excise Case No.10 of 2014 registered for the offence
punishable under section 47(a) of the Excise Act.

As per allegation in the F.I.R., 80 litres of country
liquor is stated to have been recovered from the road side and it
is stated that the petitioner managed to escape.

It is submitted by learned counsel for the petitioner
that no recovery has taken place from his person or possession
and although the F.I.R. is of the year 2014, but having brought
complete order sheet of the proceedings of the Court below on



record, it is submitted that he had no information about the pendency of the case.

The application for bail has been opposed by learned APP for the State. He submits that there is no just explanation for the petitioner to have moved for anticipatory bail after six years of lodging of the F.I.R. It is further submitted that the petitioner has yet another case under Bihar Prohibition and Excise Act pending against him, which he has mentioned in paragraph no.3 of his supplementary affidavit.

Having heard learned counsel for the parties and taking into consideration the antecedent of the petitioner, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such the application for anticipatory bail is rejected.

The petitioner is directed to surrender in the Court below within four weeks.

(Partha Sarthy, J.)

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