

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5207 of 2014

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1. Suman Singh S/O Late Dharmnath Singh Resident Of Village Tarawa,
P.S. Sahebganj, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 09-01-2015 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner apprehends his arrest in connection with
Chakia P.S. Case No. 421 of 2012 registered for the offences
punishable under Sections 272, 273, 284, 413, 420, 467, 471 and
477 of the Indian Penal Code, Section 47A of the Excise Act and
Section 43 of the Juvenile Justice Act.

Allegedly, in the house of Chitranjan Mishra, during
raid, illicit liquor in huge quantity was recovered and it is alleged
that the same was stored by Anil Sah, the petitioner and Bharat
Sah.

Submission is that the seizure list witness Awnish
Kumar was on inimical term and he has got the petitioner

implicated. The petitioner has no concern with the seized article. Co-accused Anil Sah is the licensee and the petitioner is simply a farmer having no concern with such type of business and he having no criminal antecedent deserves sympathetic consideration to which the learned APP opposes.

Considering the submissions urged at the bar, after going through the records including the case diary and noticing the fact that the name of the petitioner has been taken by the witnesses during investigation also and there is allegation that he is indulged in selling illicit liquor even to the children also, and as such, this Court is not persuaded to grant privilege of anticipatory bail to the petitioner and accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer for regular bail shall be considered on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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