

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15040 of 2015

Arising Out of PS.Case No. -145 Year- 2014 Thana -AMNAUR District- SARAN

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1. Bhutti Rai @ Nageshwar Rai Son of Late Basudeo Rai Resident of
village - Madhubani, Police Station - Amnaur, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Radha Kishun Prasad S/o Sri Janak Prasad Resident of village -
Halkhorawa, P.S. Jagdishpur (Nautan), District - West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-05-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 272 and
273 of the Indian Penal Code and 47A of the Excise Act.

It is alleged that when the police went to arrest the
petitioner in connection with Amnour P.S. Case No.143 of 2014
then 400 and 200 liters spirit were recovered from the field and
hutment erected on the government land.

It is submitted by learned counsel for the petitioner
that the recovery cannot be treated to be from the possession of
the petitioner though statement was made in paragraph 3 of the

petition that the petitioner has no criminal antecedent but supplementary affidavit filed on behalf of the petitioner reflects that the petitioner is also made accused in Amnour P.S. Case No. 143 of 2014 apart from the present case.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Amnour P.S. Case No. 145 of 2014, pending before the learned Chief Judicial Magistrate, Saran at Chapra.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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