

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4548 of 2015

Arising Out of PS.Case No. -655 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

1. Sanjay Mandal son of Bindeshwari Mandal resident of village Shyam
Tola P.S. AND District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. B.N. Pandey (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-02-2015 Heard both sides.

The petitioner apprehends his arrest in Lakhisarai
P.S. Case No. 555 of 2014, registered for the offences punishable
under Sections 307, 353 and other Sections of the Indian Penal
Code and Section 47(A) of the Excise Act.

The Excise Sub-Inspector alleged that on
13.11.2014, he went in raid on information that some persons were
selling illicit liquor and found that Karu Singh and Sanjay Mandal
the petitioner were offering countrymade liquor. The country
made liquor was recovered, but at the instigation of the petitioner
and Karu Singh many villagers came and assaulted the raiding
party.

Learned counsel for the petitioner submits that the

petitioner is a labour he was not selling the country made liquor. Karu Singh was selling the country made liquor. There is no specific allegation against the petitioner.

On perusal of records, it appears that there is very specific allegation against the petitioner that petitioner and Karu Singh were selling illegal country made liquor and from that place country made liquor were recovered and at the instigation of the petitioner the villagers took the law in their hands and thereafter chased the raiding party, hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered by the court below on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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