

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54148 of 2016

Arising Out of PS.Case No. -269 Year- 2016 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Sonu Kumar, Son of Jaga Sahani, resident of Village- Shambhupati, P.S.
Samastipur Muffasil, District- Samastipur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Mohan Kateryar, Advocate

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Samastipur Muffassil P.S. Case No. 269 of 2016 registered for the
offences punishable under Sections 47, 54 and 57 of Bihar Excise
Amendment Act, 2016.

Allegedly, the informant and other Police personnel
recovered foreign liquor in huge quantity more than 273 liters
from the Ikari field where the petitioner was standing with a
motorcycle and having seen the Police he succeeded in fleeing
away leaving his motorcycle bearing registration number BR33V-
3837.

Submission is of false implication and that as a matter of
fact no occurrence took place as alleged, the petitioner has been



made victim of village politics and police atrocities and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering the alleged recovery, I am not inclined to grant the petitioner privilege of pre-arrest bail, 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 bail shall be considered on its own merit on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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