

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45318 of 2016

Arising Out of PS.Case No. -78 Year- 2016 Thana -JANTA BAZAR District- SARAN

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1. Rajendra Chaudhary Son of Late Singasan Chaudhary Resident of
village - Panditpur, Police Station Janta Bazar, District - Saran at Chapra

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Sri Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioner as well as

learned APP for the State.

The petitioner seeks anticipatory bail in connection
with Janta Bazar P.S. Case No. 78 of 2016 instituted for the
offences punishable under Sections 272, 273 of the Indian
Penal Code and Section 47 of the Bihar Excise Act.

It has been submitted on behalf of the petitioner that
the recovery of 2 ½ litres of country made liquor was not made
from the possession of the petitioner and he has falsely been
implicated in this case.

Heard the learned APP also.

Considering the aforesaid facts and circumstances, I am
not inclined to grant privilege of pre-arrest bail to him and



accordingly, his such prayer stands rejected in connection with Janta Bazar P.S. Case No. 78 of 2016 pending in the court of learned Additional Chief Judicial Magistrate, Saran at Chapra.

However, as there is a recovery of 2 ½ litres of country made liquor from the petitioner, the petitioner surrenders and seeks prayer for bail before the court below and the court below will consider the aspect of the matter that the recovery is only 2 ½ litres from the petitioner, and pass the appropriate order without being prejudiced by the order of this Court and he will dispose of the case on the same day.

(Vinod Kumar Sinha, J)

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