

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47257 of 2016

Arising Out of PS.Case No. -22 Year- 2010 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

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Bigan Paswan, son of Late Nagina Paswan, resident of Vaishali, P.S.
Vaishali, District-Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rohit Mishra, Advocate

For the Opposite Party : Mr. Smt. Anusuiya Jaiswal (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with C-2 A22/2010, registered for the offences punishable under
Section 47 (A) of the Bihar Excise Act, 1915.

Allegedly, from the house of the petitioner 24 liters
of country made liquor kept in a bag in plastic pouch and 3 kgs.
polyfilm were recovered and the petitioner became absconder.

Submission is of false implication and that the
petitioner does not live in the said house. The petitioner resides at
Chandigarh and working as a Rickshaw puller for about 20 years,
due to election rivalry the petitioner has been implicated and, as
such, the petitioner deserves sympathetic consideration.



The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is named accused.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with C-2 A22/2010 pending in the Court of Sri Aditya Narayan Pandey, Judicial Magistrate 1st Class, Hajipur, Vaishali.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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