

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9808 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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Pankaj Sahani Son of Shivaji Sahani, Resident of Village - Mahwal, P.S. -
Motipur, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 19-04-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest in
connection with Motipur P.S. Case No. 274 of 2015 registered
under Sections 47 (A) of the Excise Act pending in the Court of
S.D.J.M., West, Muzaffarpur.

The accusation is that in course of patrolling
duty, the shop of the petitioner was searched by the Police from
where 35 liters country made liquor recovered in a Jerking
while the petitioner succeeded to flee away.

Learned counsel appearing on behalf of the
petitioner submits that in fact, petitioner is the owner of the
said shop and has falsely been implicated in this case. It is also
submitted that petitioner has no criminal antecedent and has
not been arrested on the spot.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioner. Accordingly, the application for grant of anticipatory bail is rejected.

However, petitioner is directed to surrender before the Court below within a period of six weeks and pray for regular, which shall be decided on its own merit without being prejudiced by the present order

(Rajendra Kumar Mishra, J)

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