

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56295 of 2015

Arising Out of PS. Case No. -324 Year- 2015 Thana -BIRAUL District- DARBHANGA

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Ram Babu Poddar, Son of Late Ganesh Poddar @ Late Yogendra Poddar,
resident of Village- Belwara, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

3 21-01-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
Section 302, 328, 201/34 of the Indian Penal Code.

The prosecution story states that one person died
after consuming liquor from the shop of the petitioner, whereas the
other became unconscious.

The petitioner submits that sample was taken from
some of the bottles at random for chemical analysis. The report
does not reveal any incriminating material. Learned counsel next
submits that the shop in fact is run by Dilip Chaudhary, who is day
to day incharge of it.

Counsel for the State opposes the prayer for
anticipatory bail.

Having regard to the facts that one of the persons

died after consuming liquor and the other became unconscious, I am not inclined to grant anticipatory bail to the petitioner. His prayer for grant of anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and prays for regular bail, the same would be disposed of on the same day also taking into consideration that chemical analysis report, which was taken from some of the bottles, did not contain any harmful materials.

(Samarendra Pratap Singh, J.)

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