

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7109 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -SONO District- JAMUI

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Ravi Shankar Kumar Son of Sri Mundrika Prasad Sah Resident of Village :
- Singhia Buzurg Uttar, Ward No. 07, P.S.: - Bibhutipur, District : -
Samastipur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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

ORAL ORDER

3 06-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner apprehends his arrest in connection with
Sono P.S. Case No. 150 of 2016 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code and
Sections 47, 47 (A) (S)/53 of the Bihar Excise (Amendment) Act,
2016.

Allegedly, from Maruti Alto K10 50 bottles each
containing 1 liter Royal Stag Classic Whisky and 76 pieces each
containing 180 ml. Officer's Choice Prestige Whisky were
recovered and accordingly, the said Maruti Car was seized and the
driver fled away. The petitioner is the owner of the said vehicle.

Submission is of false implication and that it was the
fault of the driver not of the petitioner, the petitioner has got no



knowledge about loading of liquor on the vehicle, the petitioner has unnecessarily been made accused only on the basis that he is the registered owner of the vehicle and as such he deserves sympathetic consideration to which learned APP opposes by submitting that the petitioner is the owner of the vehicle.

In the facts and circumstances stated above, considering the alleged recovery, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

However, the petitioner, if so advised, surrenders and seeks regular bail before the learned court below then his such prayer shall be considered on its own merit without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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