

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17971 of 2017

Arising Out of PS.Case No. -421 Year- 2016 Thana -PATNA GRP CASE District- PATNA

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1. Shailendra Pandey, Son of Mahadeo Pandey, R/o Village Sikaria, P.S. Piar, District- Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2017 The petitioner is apprehending his arrest in connection with GRP Patna (Rajendra Nagar P.P.) Case No. 421 of 2016, registered for offences punishable under Sections 273/34 Indian Penal Code read with Section 30(a) of Bihar Excise Amendment Act, 2016.

Allegation is that police on search recovered 10 bottles of foreign liquor and apprehended person disclosed that the same belongs to the petitioner.

It has been submitted on behalf of the petitioner that petitioner has nothing to do with the alleged recovery of liquors. He has falsely been implicated. Further it is evident from the F.I.R itself that petitioner is not the lease owner of SLR Bogie II, as stated by apprehended person rather the lease owner of SLR Bogie



It is other persons, namely, Lalit Kumar Yadav. Petitioner has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that petitioner is named in the F.I.R. and also in view of Section 76(2) of Bihar Excise Act, at present, I am not inclined to grant petitioner the privilege of anticipatory bail rather petitioner should surrender before the court below and make above submission, and the court below after verifying the submissions of learned counsel for the petitioner shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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