

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8963 of 2017

Arising Out of PS.Case No. -276 Year- 2016 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Sukhari Sah, Son of Bhikhari Sah, Resident of village - Panchpakari, P.S.
Dhaka (Panchpakri), District - East Champaran at Motihari

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajan

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-03-2017 The application is for grant of anticipatory bail in connection with Dhaka P.S. Case No. 276 of 2016 registered for offences under sections 272, 273 of the Indian Penal Code and section 47(a) of the Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that the petitioner was not arrested at the spot, nothing has been recovered from his possession, he has clean antecedent and only on the basis of confessional statement of co-accused, his name has transpired.

Learned counsel for the State has opposed the prayer for bail of the petitioner and submitted that one motor cycle was intercepted, one accused was arrested at the spot, but the petitioner had fled away from there and another accused transpired the name



of the petitioner and 60 liters Nepali wine was recovered from the accused arrested at the spot.

Having heard both sides and in view of the fact that the allegation has been made against the petitioner to have involved in the aforesaid incident, as such, this Court is not inclined to grant bail to him at this stage. However, he may move for regular bail before the court below and the court below will consider the prayer for bail of the petitioner and pass an appropriate order without being prejudiced by the order of this Court.

Accordingly, this petition is disposed of.

(Vinod Kumar Sinha, J)

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