

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11450 of 2017

Arising Out of PS.Case No. -58 Year- 2016 Thana -BAHADURPUR District- PATNA

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1. Dhiraj Kumar Son of Late Suresh Sahani Resident of Mohalla - New Bahadurpur Jhoparpatti, Near Rajendra Nagar, Stadium, P.S. - Bahadurpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Bahadurpur P.S.Case No. 58 of 2016 registered for the offences punishable under sections 290, 271, 271 of the Indian Penal Code and section 47(A) of Excise Act.

Allegedly, acting on information that the petitioner is selling country made liquor raid was conducted in the hut of the petitioner and after seeing police personnel, 2 to 3 persons started fleeing away and after search of the hut 68 bottles country made liquor each containing 200 ml, was recovered.

Submission is of false implication and that no one has



seen the petitioner fleeing away from the spot. He has not been caught on the spot and nothing has been recovered from his conscious possession and as such the petitioner having no criminal antecedent deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, and considering that from the hut of the petitioner the recovery was made and as such, I am not inclined to enlarge the petitioner on anticipatory bail and, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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