

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22290 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. BACHCHA SINGH @ BACHCHU SINGH, S/o Shiv Ji Singh, R/o Village Madarana, P.S.- Vaishali, Distt.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Vaishali P.S. Case No. 60 of 2017 registered for the offences punishable under Sections 30(1), 32(B), 47(1) of the Bihar Excise Act, 2016.

Allegedly, during evening patrolling, the informant got an information that the petitioner is selling liquor after keeping in dickey of motorcycle and when the police personnel went there, the petitioner succeeded in fleeing away and from the dickey of motorcycle, one Officer Choice bottle containing 350 m.l., one Officer Choice bottle containing 180 m.l/ and one Royal Stage containing 180 m.l. and two broken bottles with motorcycle were recovered.

Submission is of false implication, that the petitioner has



been made victim of police atrocities. Nothing has been recovered from the possession of the petitioner. The motorcycle is not of the petitioner and as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of pre-arrest bail and submitted that the petitioner succeeded in fleeing away, which is mentioned in the F.I.R. itself.

In the facts and circumstances, stated above, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. Accordingly, the prayer of pre-arrest bail is rejected.

(Jitendra Mohan Sharma, J.)

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