

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35351 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -RAJAULI District- NAWADA

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1. Pallu Singh Son of Late Maheshwari Singh, Resident of Village and P.S. Rajouli, District Nawada, the owner of Line Hotel at N.H.- 31, P.S.- Rajouli, District- Nawada. Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner, apprehending his arrest in connection with Rajauli P.S. Case No. 72 of 2017 registered for the offences punishable under Sections 406, 420, 379 and 120B/34 of the Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, at the line hotel of the petitioner, one milk tanker was standing and from that milk tanker, milk was loaded in drum on Pick-up Van and accordingly, the Police seized the Pick-up Van and tanker and nine persons were apprehended. They stated the name of the petitioner also regarding the involvement of the petitioner.

Submission is of false implication and that no offence as alleged is made out against the petitioner. The petitioner has got



no concern with the seized milk or Majic Van or Pick-up Van. The petitioner has been made victim of the circumstance and, as such, he deserves sympathetic consideration. Co-accused Deepak Kumar, Mantu Kumar, Md. Sabir and Uday Prasad who were apprehended have already been allowed bail vide Cr. Misc. No. 28317 of 2017 by another coordinate Bench of this Court.

The learned A.P.P. fairly submits that the petitioner was not apprehended at the spot.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 72 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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