

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48406 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -MAIN P.S. District- GAYA

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Ram Niwas Sharma @ Ramanuj Sharma S/o Late Raj Kumar Sharma
Resident of Village-Samsara, P.S.-Mian (Pai Bigha) O.P.), Disrict-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 21-02-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Main (Pai Bigha O.P.) P.S. Case No. 21 of 2016 for the offences punishable under sections 47 (a), 47 (g), 53 (a) and 53 (c) of the Bihar Excise Amendment Act, 2016.

Allegedly, the petitioner and others were sitting on a chauki at the door, 3-4 persons were taking drink who after seeing the police personnel started fleeing away but after chase one Ramanuj Kumar @ Pappu Kumar was caught who told that he had come to take drink at the house of Nawin Kumar, thereafter on search from the house of Nawin Kumar about 44 liters of wine



was recovered of different brand and further motorcycles and Santro Car were also seized. The petitioner is the father of Nawin Kumar.

Submission is of false implication and that nothing has been recovered from possession of the petitioner, he has been made accused only due to the reason that he is the father of Nawin Kumar, he has got no concern with the business of Nawin Kumar and without any fault the petitioner is apprehending his arrest.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner also fled away from the place of occurrence and he is indulged in the business for bringing the liquor and selling the same and the witnesses during investigation have supported the allegation.

In the facts and circumstances as stated above, considering the alleged recovery from the joint house of Nawin Kumar, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M.-VI, Gaya.

(Jitendra Mohan Sharma, J)

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