

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9095 of 2017

Arising Out of PS.Case No. -202 Year- 2016 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

Teni Ram, Son of Late Lagan Ram, Resident of Village- Parsauni Devajit,
P.S.- Mehsi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-03-2017 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 Mehsi P.S. Case No. 202 of 2016 for the offences punishable under sections 272, 273 and 290/34 of the I.P.C and section 37 (a) (b) of the Bihar Prohibition and Excise Act, 2016.

Allegedly, acting on a tip off that the petitioner is selling spurious toddy in his house, raid was conducted but seeing the police party some persons started fleeing away but three persons were apprehended and they admitted that they used to come in the house of the petitioner to drink toddy. It is also



disclosed that the petitioner fled away.

Submission is of false implication and that the toddy is not the banned article and further the place of recovery is not the house of the petitioner, the petitioner has got no concern with that hut and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that 30 liters toddy and other articles were recovered from the house of the petitioner.

In the facts and circumstances as stated above, considering the alleged recovery from the house of the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. 6th, Motihari, East Champaran.

(Jitendra Mohan Sharma, J)

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