

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2839 of 2017

Arising Out of PS.Case No. -377 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. TAPAS KUMAR MITRA @ TAPAS MITRA @ CHOTU MISTRI, S/O
RANJIT KUMAR MITRA, R/O BANGALI TOLA WARD NO. 24, P.S.
FORBESGANJ, DIST. ARARIA.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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

2 10-02-2017 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 Forbesganj P.S. Case No. 377 of 2016 for the offences punishable under sections 272 and 273 of the I.P.C and section 47 of the Bihar Excise Amendment Act, 2016.

Allegedly, in the garage of the petitioner one Bolero and one Indica Car were found loaded with foreign liquor and three persons were apprehended, whereas, the petitioner succeeded in fleeing away.

Submission is of false implication and that the



petitioner was not present at that time which is evident from the reservation chart ticket and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner succeeded in fleeing away and the garage was of the petitioner.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, 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 C.J.M. Araria.

(Jitendra Mohan Sharma, J)

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