

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1709 of 2017

Arising Out of PS.Case No. -209 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Gautam Kumar, son of Gupteshwar Singh, resident of Village- Rampur,
P.S.- Nokha, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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

ORAL ORDER

3 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 Aurangabad (T) P.S. Case No. 209 of 2016 for the offence punishable under section 47 of the Bihar Excise Amendment Act, 2016.

Allegedly, from vehicle of the petitioner 240 liters of country made liquor and 182 pieces of foreign liquor each containing 180 ml. were recovered and from the owner book it reveals that one Tej Pratap Singh was the owner but the petitioner has purchased that vehicle from Tej Pratap Singh before the date of occurrence.



Submission is of false implication and that in the vehicle only driver was present, the petitioner was not present in the vehicle and if any fault was committed that was of the driver and not of the petitioner and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail 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. Aurangabad.

(Jitendra Mohan Sharma, J)

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