

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6988 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Bunilal Sah, Son of Late Shankar Sah, Resident of Village-Piparpati, P.S.-
Ramgarhwa, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Smt. Renu Kumari, APP

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

2 22-02-2017 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 Ramgarhwa P.S. Case No. 146 of 2016, G.R. Case No. 979 of 2016, registered for the offences punishable under sections 272, 273, 290 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Allegedly from the shop of the petitioner, eight litres country made liquor was recovered and the petitioner succeeded in fleeing away.

Submission is of false implication. The petitioner



has not been apprehended at the spot. The shop does not belong to the petitioner, who has been made victim of the circumstances, the petitioner is suffering from Cancer and is under treatment.

The learned A.P.P. opposed the prayer of bail by submitting that acting on a tip off that the petitioner is indulged in dealing with illicit liquor, his shop was raided and the petitioner succeeded in fleeing away and as such, he does not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering the material available against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him, accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merit and further considering his medical prescription preferably on the same day.

(Jitendra Mohan Sharma, J)

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