

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10942 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Lallan Kumar Singh @ Lalan Kumar Singh @ Lalan Singh, son of Late
Ganga Prasad Singh, resident of Village- Kushde, P.S.- Lalganj, District-
Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Bharat Lal

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

ORAL ORDER

4 08-04-2017 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 Town P.S. Case No. 53 of 2017 for the offences punishable under sections 272 and 273 of the I.P.C and sections 30, 37 (b) and 37 (d) of the Bihar Excise Prohibition Act, 2016.

Allegedly, four persons were apprehended in the room situated in the premises of Sadar Hospital, Muzaffarpur taking drink and from there sealed and unsealed bottles of liquor besides water glasses etc. were recovered and those four persons stated that the petitioner has called them and he has provided the drink and in the room the petitioner used to reside. The petitioner is the



staff of Sadar Hospital, Muzaffarpur.

Submission is of false implication and that besides confessional statement of co-accused there is no other material against the petitioner, the petitioner was at his house on that date and he has not called those persons to take drink, the petitioner has got no criminal antecedent and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner being staff of the hospital was residing in that room and in the room of the petitioner those four persons were apprehended taking drink.

In the facts and circumstances as stated above, 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. Muzaffarpur.

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 merits without being prejudiced by the order of this Court, preferably on the same day.

Abhay/-

(Jitendra Mohan Sharma, J)

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