

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21489 of 2017

Arising Out of PS.Case No. -10 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

=====

Dara Choudhary S/o Late Hari Choudhary, Resident of Village- Tilauthu,
P.O. +P.S.- Tilauthu, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh

For the Opposite Party/s : Sri Jagdhar Prasad

=====

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

ORAL ORDER

2 11-07-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Excise Case No. 10 of 2015 registered for the offence
punishable under section 47 (a) (f) of the Excise Act.

Allegedly, the petitioner was indulged in preparing
illicit liquor at the bank of Sone River at Tilauthu and during raid,
the petitioner succeeded in fleeing away but from his
manufacturing unit, 50 litres country made liquor and 1300 kg.
swollen Mahua were recovered.

Submission is of false implication and that nothing
has been recovered from the possession of the petitioner or from



his house. The petitioner has got no concern with the alleged manufacturing unit and he has been made accused due to police atrocity and as such, he deserves sympathetic consideration.

Learned APP seriously opposes the prayer of pre-arrest bail by submitting that the place from where the recovery has been made, was being used by the petitioner.

In the facts and circumstances stated above, considering the alleged recovery, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected. However in case, if so advised the petitioner surrenders and seeks regular bail which will be considered on its own merit without being prejudiced by this order preferably on the same day.

(Jitendra Mohan Sharma, J)

Mahesh/-

U		T	
---	--	---	--

