

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2661 of 2017

Arising Out of PS.Case No. -75 Year- 2016 Thana -BAHERI District- DARBHANGA

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Rana Shubhankar Prasad Singh son of Late Bhola Singh, resident of
Village- Sirua, P.S. Baheri, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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

ORAL ORDER

2 25-01-2017 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 Baheri P.S. Case No. 75 of 2016 for the offences punishable under sections 188, 120 (B) and 34 of the I.P.C and section 47 (G) of the Excise Act.

The informant got information from Chandrajeet Singh that huge quantity of liquor was kept in the brick kiln. The informant recovered 5408 bottles of country made liquor, each containing 400 ml. It is alleged that Ashutosh Kumar Jha is a licensee of country made liquor and the licensee was asked not to sell the liquor after coming into force of the new Excise Act and that Ashutosh Kumar Jha and his men, namely, Basant Chaudhary, Pappu Singh, Santosh Jha and Ghanshyam Chaudhary might have



kept the liquor. During investigation name of the petitioner also transpires that the room from where the liquor was recovered, was of the petitioner.

Submission is that the brick kiln was closed for two-three years, the petitioner has no concern with that room, only on suspicion the petitioner has also been implicated, several accused persons, namely, Pappu Singh, Santosh Jha, Basant Chaudhary and Ashutosh Jha have been allowed pre-arrest bail in this case and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. submits that the room was of the petitioner but the brick kiln was closed for two-three years.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M-IX, Darbhanga in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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