

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2939 of 2017

Arising Out of PS.Case No. -262 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Paras Paswan, son of Santola Paswan, Resident of Village- Sugao Dhangar
Toli, Police Station- Sugouli, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Tondon, Advocate

For the Opposite Party : Mr. Lakshmi Kant Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Sugauli P.S. Case No. 262 of 2016 (G.R. No. 5954 of 2016),
registered for the offences punishable under Sections 30(a) and
30(d) of Bihar Prohibition and Excise Act, 2016.

Allegedly, from the house of the petitioner two liters
country made liquor was recovered, but the petitioner succeeded
in fleeing away.

Submission is of false implication and that nothing
has been recovered from his house and he has been made victim of
the circumstances and, as such, the petitioner deserves
sympathetic consideration.



The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the recovery of illicit country made liquor, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Sugauli P.S. Case No. 262 of 2016 (G.R. No. 5954 of 2016), pending in the Court of learned Chief Judicial Magistrate, Motihari (East Champaran).

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.

(Jitendra Mohan Sharma, J.)

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