

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2729 of 2017

Arising Out of PS.Case No. -646 Year- 2016 Thana -BIHTA District- PATNA

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Rahul Kumar, aged about 18 years, Son of - Chhotan Singh Resident of
Village- Mahammadpur, P.S.- Bihta, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Dinesh Singh

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

3 14-02-2017 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 Bihta P.S. Case No. 646 of 2016 for the offences punishable under sections 272 and 273 of the I.P.C and sections 47 (A), 48 (2), 49, 50 (D), 54 and 57 of the Bihar Excise (Amendment) Act, 2016.

Allegedly, the petitioner after leaving bag fled away and from his bag 10 bottles of foreign liquor each containing 750 ml. Primium whisky Jharkhand and 12 bottles each containing 750 ml. foreign liquor were recovered and the villagers told the name of the petitioner that he succeeded in fleeing away.

Submission is of false implication and that there is no



witness of village Mahammadpur, the petitioner has been made victim of the circumstances, the petitioner never indulged in such activities, two witnesses, namely Dharmveer Singh and Pappu Paswan are of another village and their statement appears false, there are contradictions in their statement and as such the petitioner deserves sympathetic consideration.

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

In the facts and circumstances as stated above, considering the materials available against the petitioner I am not inclined to grant privilege of pre-arrest bail to the petitioner accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. Danapur.

(Jitendra Mohan Sharma, J)

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