

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16884 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -TARAIYA District- SARAN

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Pritam Rai, S/o Bir Bahadur Rai, R/o Village- Bhalua Shankar Dih, P.S.-
Taria, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Taraiya P.S. Case No. 295 of 2016, registered for offences punishable under Sections 272, 273, 295/34 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition & Excise Act, 2016.

The allegation is of recovery of 200 liters of country made liquor from a Kabristan and the petitioner is named accused in this case.

It has been submitted on behalf of the petitioner that admittedly the recovery is from a Kabristan which is not of the petitioner and on that ground other co-accused has already been granted anticipatory bail by this Court.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the petitioner is named in the FIR, this Court does not consider it a fit case for grant of anticipatory bail to the petitioner. Rather, the petitioner should surrender before the learned court below and make prayer for regular bail which will be considered by the learned court below considering that one of the co-ordinate Bench of this Court has granted bail to the other co-accused having similar allegations.

With this observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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