

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42638 of 2017

Arising Out of PS. Case No.-150 Year-2017 Thana- Desari District- Vaishali

Updesh Singh @ Nanhe Singh, Son of Late Sachhidanand Singh, Resident of Village- Khoksa Buzurg, P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 15-09-2017 Heard Sri Anuj Kumar, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 16-07-2017 in Desari P.S. Case No. 150 of 2017 registered for offence under Sections 147, 148, 149, 341, 323, 324, 307, 332 of the Indian Penal Code and Sections 30(a), 38(i)(2), 45 of Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that petitioner was falsely implicated in the present case. He submits that it is true that a raid was conducted by the police in a *kirana* shop, from where, about 141 liters of Indian make foreign liquor was recovered and two persons were apprehended. Thereafter, number of other accused persons assembled there, assaulted the police and freed the two accused



persons, who were apprehended. It was argued that save and except mentioning the name of petitioner, there is no other overt act against the petitioner.

However, considering the nature of allegation, particularly; the fact that there is allegation of interfering in discharge of the official duty and mob assaulted the police, at the moment, I am not inclined to extend the privilege of bail.

The prayer for bail stands rejected.

(Rakesh Kumar, J.)

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