

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78932 of 2018

Arising Out of PS. Case No.-52 Year-2018 Thana- PATORI District- Samastipur

Kali Bhai @ Kalee Bhai S/o Ramnath Paswan R/vill-Gorgama, P.S-Patori,
Distt.-Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Sri Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2019 Heard the parties.

The petitioner seeks pre- arrest bail in Patori P.S.Case No.52 of 2018 registered under Sections 114, 309/34 of the I.P.C., Section 27 of the Arms Act and Sections 30(a), 38(1) and 38(2) of the Bihar Prohibition and Excise Act.

Allegation is that on information that one person in injured condition came for treatment in Raj Laxmi Hospital, Patori, the police raided the hospital and found one person in injured condition being treated who disclosed his name as Kali Bhai(petitioner) and on his discloser the police raided the hostel and found empty cartridges and two bottles of foreign liquor and also found blood there and the co-accused persons who were arrested and disclosed their name, who were firing in which the petitioner sustained head injury.



Submission on behalf of the learned counsel for the petitioner is that the present case is a false and concocted and the petitioner has not received any injury and there is no recovery of liquor from his possession.

Heard the learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to this petitioner. Prayer for anticipatory bail is rejected. However, if the petitioner surrenders before the court below and pray for regular bail, the learned court below shall consider the same on the basis of the materials available on the record and dispose of the same on its own merit on the same day without being prejudiced by this order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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