

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22738 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
MADHUBANI

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Bhola Prasad, Son of Late Bhagwan Prasad, Resident of village – Bhairva
Brahma Asthan, P.S. – Bisfi, District – Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-05-2016

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 47(a)
of the Excise Act.

The prosecution case is that from the
godown of the petitioner 102.560 litres of country made and
Indian made foreign liquor were recovered.

It is submitted by learned counsel for the
petitioner that only on suspicion the accusation has been
levelled. The godown does not belong to the petitioner.
Moreover, the case was instituted prior to the recent amendment
in the Bihar Excise Act.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail by the learned court below, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with G.O. P.S. Case No. 25 of 2016 pending in the court of learned Additional Chief Judicial Magistrate, Benipatti.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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