

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26761 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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Mohan Prasad, son of Late Kishun Sah, resident of Village- Patjilwa, P.S.-
Chiraiya, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Chiraiya P.S. Case No.68 of 2016,
registered for the offence punishable under Section 47 of the
Excise Act.

The Police received secret information that the
petitioner was involved in purchasing and selling of liquor. On
the tips of that information, the police raided the shop but did not
find any incriminating material. The police gather information
from the villagers that liquor has been kept behind the house of
Jawahir Prasad and thereafter search was made and during the
search 20 bottles of bear were recovered behind the house of said

Jawahir Prasad.

Learned counsel for the petitioner submits that it was not country made liquor. But, allegation has been made against the petitioner to have been involved in purchasing and selling of bear.

Looking to the nature allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. If the petitioner surrenders before the Court below within three weeks from today and prays for bail, the court below will pass appropriate order.

(Shivaji Pandey, J)

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