

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43407 of 2016**

Arising Out of PS.Case No. -159 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-  
GAYA

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Pantu Kumar Yadav son of Sri Mahendra Prasad Yadav, resident of  
Village- Gwartoli (Nadraganj Pul Par), P.S.- Civil Lines, District- Gaya.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Md. Ashlam Ansari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2      26-10-2016              Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of  
Excise Case No. 159 of 2016, disclosing offence under Sections  
47(a) of the Excise Act.

Learned counsel for the petitioner has submitted that the  
place from where the seizure of five litres of illicit country made  
liquour was made does not belong to him. According to him, the  
petitioner has a Lassi shop nearby and, therefore, he has been  
falsely implicated.

However, considering the fact that despite prohibition in  
the State of Bihar, the petitioner has been found indulging in sale

of illicit country made liquour, I am not inclined to grant him privilege of anticipatory bail.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

**(Chakradhari Sharan Singh, J)**

Vats/-c

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