

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4242 of 2017

Arising Out of PS.Case No. -371 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

- =====
1. Jira Devi, W/O Nepali Chaudhary,
 2. Shankar Chaudhary @ Prem Shankar Chaudhary, S/O Late Nepali Chaudhary, Both resident of Village Ganoura Badarpur, P.S. Madhusudanpur (Nathnagar), District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kr. Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017 Heard the learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Nathnagar (Madhusudanpur) P.S. Case No. 371 of 2016 registered for the offences under Sections 30(A) of Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioners that the petitioners have moved for anticipatory bail in A.B.P. No. 18 of 2017. From perusal of the F.I.R. it appears that the occurrence is of 19.12. 2016 i.e. After the Amendment of the Act as well as four bottles English royal stag each containing 375 ml was recovered from the possession of the petitioners.

Heard the learned APP also.

Having heard both sides and considering the aforesaid facts and also considering the fact that there is no criminal antecedent against the petitioner and in view of the provisions contained in Section 76(2) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner



and the same is rejected.

Let the above named petitioners be surrendered in the court below i.e. the A.C.J.M. Ist, Bhagalpur in connrection with Nathnagar (Madhusudanpur) P.S. Case No. 371 of 2016 and pray for regular bail which shall be considered on merit without being prejudiced by this order.

With the above observation this application stands disposed of.

(Vinod Kumar Sinha, J)

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