

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6732 of 2017

Arising Out of PS.Case No. -362 Year- 2016 Thana -GAYA MUFFASIL District- GAYA

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Dabalu Paswan, S/o Bhola Paswan, resident of Village- Bhore, P.S.-
Muffasil, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Muffasil P.S.Case
No. 362/2016 registered for the offences under section 47 of the
Bihar Excise Amendment Act and 3 of Mahua Flower Act.

The allegation is that from the house of the petitioner 15
Kgs. fermented mahua for preparation of illegal country made
liquor was recovered.

Submission is that the recovery is not made from the
house of the petitioner. The copy of the seizure list was not handed
over to the family members and the seizure list witnesses are
police personnel.

In view of Section 76(2) of the amended Bihar Prohibition
and Excise Act, the anticipatory bail is not maintainable. So, the
prayer for anticipatory bail of the petitioner is rejected.



The petitioner is directed to surrender before the court below and seek regular bail.

(Arun Kumar, J)

Surendra/-

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