

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4270 of 2017**

Arising Out of PS.Case No. -19 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-  
GAYA

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Rajesh Choudhary Son of late Bali Choudhary Resident of Village Rouna,  
P.S. Belaganj in the district of Gaya.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      09-02-2017

Heard the learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Excise Case No. 19 of 2015 registered for the offences punishable under Section 47(A) of Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner, rather it has been recovered from the road side.

Heard learned APP also.

The learned APP submitted that huge quantity of liquor was recovered.

Having heard both sides In view of Section 76(2) of Bihar Prohibition Excise Act, 2016, I am not inclined to grant the petitioner the privilege of anticipatory bail.

However, if the petitioner surrenders before the court below and pray for regular bail, his application shall be considered by the learned court below on merit of the case, without being



prejudiced by the order of this Court.  
The case is disposed of.

**(Vinod Kumar Sinha, J)**

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