

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11104 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Raushan Kumar Son of Late Saroj Prasad, resident of Village-
Pathakchak, P.O. Gangapur, P.S. Hulasganj, District- Jahanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 30 of the
Bihar Prohibition and Excise Act.

From the room of this petitioner foreign liquor was
allegedly recovered on 17.01.2017.

Submission of the petitioner is that the petitioner was not
present there, hence, the recovery was not from the conscious
possession and the premise is a rented premise. Therefore,
chances of some manipulation at the hands of some other person
cannot be overruled.

This anticipatory bail application is



not maintainable in view of Section 76 of the Bihar Prohibition and Excise Act, 2016. Therefore, it is dismissed as not maintainable.

Mkr./-

(Birendra Kumar, J)

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