

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10203 of 2017

Arising Out of PS.Case No. -279 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

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Shankar Rai, son of Late Yogendra Rai, resident of Village-Mahua Singh
Rai, Eastern Tola, P.S. Mahua, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-03-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Complaint Case No. C2 A 279 of 2016 lodged for the offences punishable under Sections 30(a) and 35(a) of the Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that nothing has been recovered from the house of the petitioner and from possession of the petitioner, rather recovery of 11 bottles, containing 750 ml. each of liquor is said to have been made from Bolero vehicle of the petitioner. It has further been submitted that though recovery has been made on 6.10.2016 but FIR has been lodged after one month.

Heard learned APP also.



Having heard both sides and in view of the provisions of Bihar Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner.

Let petitioner surrender and make prayer for regular bail, which shall be considered by the court below considering the fact that petitioner is an old man and as submitted nothing has been recovered from his possession and there is delay in lodging FIR and the court below will pass appropriate order, without being prejudiced by this Court.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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