

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4260 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Sunil Prasad Son of Kapildeo Prasad, Resident of Village- Bharawapar
Murarpur, P.S. Laheri, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Ajeet Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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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 Mansi P.S. Case No. 295 of 2016 registered for the offences under Sections 420/120-B of the Indian Penal Code and also under Sections 30(A), 38 & 41 of Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioner that the petitioner has moved for anticipatory bail in A.B.P. No. 2574 of 2016 for the offences under Sections 420/120-B of the Indian Penal Code and also under Sections 30(A), 38 & 41 of Bihar Excise (Amendment) Act, 2016 and allegation against the petitioner is of recovery of 49 container liquor. It has been submitted that the nothing has been recovered from possession of the petitioner.

Heard the learned APP also.

Having heard both sides and considering the aforesaid facts 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 petitioner be surrendered in the court below i.e. the Chief Judicial Magistrate, Bihar Sharif in connection with Chandi P.S. Case No. 295 of 2016 and pray for regular bail which shall be considered taking into consideration the fact that nothing has been recovered from possession of the petitioner.

With the above observation this application stands disposed of.

(Vinod Kumar Sinha, J)

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