

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29320 of 2017

Arising Out of PS.Case No. -209 Year- 2017 Thana -GARKHA District- SARAN

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1. Sharwan Prasad son of Bharat Prasad resident of village - Garkha,
Police Station - Garkha, District - Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in connection with Garkha P.S. Case No.209 of 2017, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the Court of learned Additional Sessions Judge-VI, Saran at Chapra.

From the house of this petitioner wine was recovered.

Considering the presumption under Section 32 of the Bihar Prohibition and Excise Act as well as the bar of anticipatory bail under Section 76(2) of the Act, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, it stands dismissed as not maintainable. However, in the event of surrender of the



petitioner the prayer for regular bail shall be disposed of without
being prejudiced by this order.

(Birendra Kumar, J)

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