

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6801 of 2017**

Arising Out of PS.Case No. -657 Year- 2016 Thana -KATIHAR District- KATIHAR

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Dharmraj Singh @ Munshi Son of Sheo Kumar Singh, Resident of  
Mohalla- Driver Tola, P.S.- Katihar (Town), District- Katihar.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

4      22-03-2017                      Heard learned counsels for the petitioner and the  
  
State.

The petitioner apprehends his arrest in connection  
with Katihar (Town) P. S. Case No. 657 of 2016 instituted under  
Sections 272 and 273 of the Indian Penal Code and Section 30(a)  
of the Bihar Prohibition and Excise Act, 2016.

The allegation, in brief, is that 40 litres illicit liquor  
were recovered from the house of the petitioner.

Learned counsel for the petitioner submits that there  
is no recovery from the house of the petitioner and this petitioner  
is an advocate clerk and resides some other place at the place  
wherefrom recovery is said to be made and he has got no criminal  
antecedent.

In view of Section 76(2) of the Bihar Excise



(Amendment) Act, 2016, anticipatory bail application is not maintainable, so prayer for anticipatory bail of this petitioner is rejected.

However, the petitioner may, if so advised, surrender and seek regular bail, which shall be disposed of on merit without being prejudiced by this order.

**(Arun Kumar, J)**

Sujit/-

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