

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2991 of 2017

Arising out of P.S. Case No. - 201 Year - 2016 Thana - DELHA District - GAYA

=====

Awadh Kishore Prasad, Son of Late Hari Sao, Resident of Mohalla -
Chhotki Nawada, P.S. - Delha, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate

For the Opposite Party : Mr. Jai Narain Thakur, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-03-2017

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 Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act.

Four persons, after consuming wine on the road side, were intercepted by the police. Out of the four, three persons were apprehended by the police.

From the scooty of the petitioner country made liquor was recovered. Recovery was made on 01.11.2016.

Considering the fact that the presumption under 32(2) of the Bihar Prohibition and Excise Act, 2016 is applicable against the petitioner, hence, this anticipatory bail, in connection with



Delha Police Station Case No. 201 of 2016 pending in the Court of learned Chief Judicial Magistrate, Gaya/successor Court, is not maintainable in view of the provisions under Section 76 of the Act.

(Birendra Kumar, J)

Kundan

U		T	
---	--	---	--

