

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26126 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -KOTWALI District- MUNGER

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Shambhu Sahni Son of late Mahabir Sahni Resident of Nishad Tola, Chandi Sthan,
P.S.-Kotwali (Basudevpur O.P), Distt-Munge

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kotwali (Basudevpur O.P.) P.S. Case No. 98 of 2017 dated
22.03.2017 instituted under Sections 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. The allegation against the petitioner is of selling liquor
which is prohibited under law.

4. Learned counsel for the petitioner submitted that he
was not apprehended at the spot and only on suspicion, he has been
made accused and his name transpired only on the basis of the



statement of a person who is not identified. Learned counsel submitted that the petitioner has not been earlier made accused in such crime.

5. Learned A.P.P. submitted that the petitioner is accused in two other cases under Sections 457/380/411 of the Indian Penal Code and further the issue relates not to him having consumed liquor but rather as a facilitator to supply of liquor, which is prohibited under the State Act.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J)

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