

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11835 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -AGAMKUAN District- PATNA

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1. Suraj Pandey Son of Sri Dharmnath Pandey, Resident of MIG Sector 6,
Block No. 3, Flat No. 90, Bahadurpur Housing Colony, Police Station
Agamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Bijpuria

For the Opposite Party/s : Mr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioner is apprehending his arrest in connection

with Agamkuan P.S. Case No. 31 of 2017, registered for offences

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act.

It has been submitted on behalf of the petitioner that

petitioner has falsely been implicated in this case. Nothing has

been recovered either from the house of the petitioner or from his

conscious possession and so far recovery of motorcycle is

concerned, the same does not belong to the petitioner as such no

case under Bihar Prohibition and Excise Act is made out.

Heard learned A.P.P. also.

Having heard both sides, in view of the Section 76(2) of

Bihar Prohibition and Excise Act, application of Section 438



Cr.P.C is barred as such let petitioner surrender before the court below and pray for bail on the basis of above submissions and learned Court below after considering the above submissions of the petitioner, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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