

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13752 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -AKBARPUR District- NAWADA

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1. Mantu Kumar Son of Ram Balak Yadav, resident of village - Hurrahi,
P.S. Akbarpur, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-04-2017 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 offence punishable under Section 30(a) of the Bihar Excise Act.

Submission is that from a field side 10 litres of liquor was, allegedly, recovered and the same is said to be of the petitioner.

Since the anticipatory bail application is not maintainable in view of the specific bar under Section 76 of the Bihar Excise and Prohibition Act, 2016, it stands dismissed.

However, in the event of surrender of the petitioner, the court below shall dispose of prayer for regular bail, in connection with Akbarpur Police Station Case No. 20 of 2017



pending in the Court of learned Chief Judicial Magistrate,
Nawada, considering the fact that recovery was not from the
conscious or physical possession of the petitioner.

(Birendra Kumar, J)

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