

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60771 of 2017

Arising Out of PS.Case No. -481 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Anuj Rai @ Anuj Kumar Rai, Son of Shri Vishawanth Rai, Resident of
Village- Akilabad, P.S.- Sadar Hajipur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satyabir Bharti, Advocate

For the Opposite Party : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and the APP.

The petitioner apprehends arrest in connection with Hajipur Sadar P.S.Case No.481 of 2016 pending in the Court of Additional Sessions Judge-II, Vaishali at Hajipur registered for an offence under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The petitioner's prayer for anticipatory bail was earlier rejected as not maintainable in Cr.Misc.No.29987 of 2017 vide order dated 18.07.2017. The petitioner is named in the FIR and specific allegation is that four vehicles including one ten wheeler heavy truck which was loaded with foreign liquors were seized from the business premises of the petitioner. In course of seizure, the police found some persons unloading the said truck and



keeping the wine in light vehicles. The witnesses at the time of investigation have stated that the place of recovery belongs to the family of this petitioner and the same was being used for illegal purpose. Besides that the petitioner is involved in four more cases. Out of which Hajipur Town P.S.Case No.548 of 2017 is of similar nature.

Considering the antecedent of the petitioner and the allegation of his indulgence in illegal trade of wine in violation of Section 30 (A) of the Bihar Prohibition and Excise Act, 2016, I am not inclined to reconsider the anticipatory bail of the petitioner. His prayer for anticipatory bail is rejected.

However, the petitioner if surrenders in the court below and prays for regular bail, the court below shall consider his prayer on its own merit without being prejudiced by this order.

(Sanjay Kumar, J)

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