

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38158 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- NOKHA District- Rohtas

Surendra Singh, Son of Ram Naresh Ray, Resident of Mohalla- Kurmi Tola,
Ward No. 5, P.S.- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Sudama Singh, Advocate
		Sri Surendra Kumar Mishra, Advocate
For the Opposite Party/s :		Sri Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2018 Heard Sri Sudama Singh, learned counsel, assisted by

Sri Surendra Kumar Mishra, learned counsel for the petitioner
and Sri Amit Kumar Rakesh, learned Additional Public
Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Nokha P.S. Case No. 47 of 2018 , registered
for the offence under Section 30(k), 37(g) of the Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail in
the event of his arrest or surrender.

Learned counsel for the petitioner by way of referring
to the F.I.R. as well as seizure list submits that no recovery was
affected from inside house of petitioner, rather in this case
recovery of Indian make foreign liquor was shown from the



straw house of petitioner, and as such, it is a case for grant of anticipatory bail. He further submits that it is true that petitioner was made accused in a case, but in that case he has already been granted bail. It has also been reiterated that earlier petitioner was never made accused for commission of offence under the Bihar Prohibition and Excise Act, 2016.

Besides hearing, I have perused the F.I.R. and seizure list. On going through the same, it is evident that there was recovery of huge quantity about 45 bottles of Indian make foreign liquor and petitioner is accused for offence under Section 302/ 201 of the I.P.C., and as such, there is no reason to extend the privilege of anticipatory bail to the petitioner.

The petition stands dismissed.

(Rakesh Kumar, J)

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