

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2663 of 2019

Arising Out of PS. Case No.-231 Year-2018 Thana- KISHUNPUR District- Supaul

Vasudeo Mukhiya @ Vouldeo Mukhiya, son of Late Babujee Mukhiya,
Resident of Village - Murkuchiya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Anil Kr Singh 01 (App232)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Kishanpur Police Station Case No. 231 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').

There being bar under Section 76 (2) of the Act, this anticipatory bail application cannot be maintained and is, accordingly, dismissed.

However, in view of the allegation that 6.5 litres of country-made liquor was recovered by the police from the agricultural field, which, admittedly, does not belong to the petitioner and he has been named on the ground that he was



seeing fleeing away and identified by Chowkidar, it is directed that if the petitioner surrenders before the Court below within four weeks from today and applies for regular bail, his application shall be considered and disposed of on the same day without being prejudiced by the present order of dismissal.

(Chakradhari Sharan Singh, J.)

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