

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6269 of 2019

Arising Out of PS. Case No.-411 Year-2018 Thana- MAHESI District- East Champaran

Binay Choudhary@Binay Kumar, Son of Rajendra Choudhary, male, aged about 42 years, Resident of Village - Purani Mehasi, P.S.-Mehasi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a), 37(d) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the hutment shop of the petitioner, 100 litres of toddy was recovered.

It is submitted by learned counsel for the petitioner that hutment in question is without any door and recovery has been made in absence of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from



the hutment shop of the petitioner.

Considering the nature of accusation, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

However, let the learned Court below consider the prayer for regular bail if he surrenders within a period of six weeks, in connection with Mehasi P.S. Case No. 411 of 2018, pending in the court of learned Special Judge, Excise, East Champaran at Motihari.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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