

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8186 of 2019**

Arising Out of PS. Case No.-597 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- Saharsa

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Sikandar Yadav @ Shrikant Yadav S/o Mohan Yadav Resident of Mohalla-  
Krishna Nagar, Ward No. 22, P.S. District- Saharsa, at present residing at  
Resident of Village- Sattour, Tola,- Belhi, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      13-02-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection  
with Special Case No.597 of 2018, registered for the offence  
punishable under Section 30(a) of the Bihar Prohibition and  
Excise Act, 2016, pending in the Court of 2<sup>nd</sup> Additional  
Sessions Judge-cum-Special Judge Excise, Saharsa.

From the loge of this petitioner 19.23 litres of liquor  
was recovered. Co-accused Pandav Rajak was caretaker of the  
loge.

Since the petitioner cannot be absolved of his primary  
responsibility to look what criminal act is being committed in  
his house, I am not inclined to grant anticipatory bail to the



petitioner. Hence, the prayer for anticipatory bail is refused.  
However, in the event of surrender of the petitioner, the prayer  
for regular bail shall be disposed of without being prejudiced by  
the order of this Court.

**(Birendra Kumar, J)**

Mkr./-

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