

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11211 of 2019

Arising Out of PS. Case No.-432 Year-2018 Thana- BIHIA District- Bhojpur

1. Guddu Sah, son of Ganesh Sah, resident of Village-Mela Road, Bihiya, P.S-Bihiya, District-Bhojpur
2. Ganesh Sah, son of Late Ram Dahin Sah, resident of Village-Mela Road, Bihiya, P.S-Bihiya, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-02-2019 The petitioners who are son and father respectively seek bail in anticipation of their arrest in connection with Bihiya P.S. Case No. 432 of 2018 dated 04.11.2018 instituted for the offences under Sections 30(A)(1) of the Bihar Prohibition & Excise Act, 2016.

Regard being had to the fact that there is recovery of liquor, though in small quantity, from the house of the petitioners and petitioner No. 2 having criminal antecedents against him, I am not inclined to grant anticipatory bail to the petitioners. The prayer for anticipatory bail is, therefore rejected.



However, if the petitioners surrender before the Court below and pray for bail, the Court below shall take into account that recovery is of only 5.4 litres of liquor and shall pass orders in accordance with law without being prejudiced by the fact that the present petition for anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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