

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14541 of 2019**

Arising Out of PS. Case No.-644 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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SHYAM BABU RAI @ SHYAM KUMAR YADAV Son of Late Dhanush Rai
@ Dhanush Prasad Yadav Resident of Village - Lalpur, P.S- Runnisaidpur,
Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Gulnar Begum

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 01-05-2019

This application, for grant of anticipatory bail, arises out of Complaint Case No. C2/644/18, disclosing offences under Sections 30(a) of Bihar Excise Prohibition Act, 2016.

Allegation is of recovery of 442.52 litres of liquor in front of the house of the co-accused Ashok Yadav and petitioner and others succeeded in fleeing away. Apart from that petitioner is accused in five other cases.

Submission of learned counsel for the petitioners is that there is no recovery either from the conscious possession of the petitioner or from his house and he has falsely been made accused.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances as well as the fact that petitioner is an accused in one more case of similar nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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