

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17293 of 2019

Arising Out of PS. Case No.-217 Year-2018 Thana- NARHATT District- Nawada

=====

SATISH PANDIT, Son of Late Dukhi Pandit, Resident of Village-Devi Sarai,
P.S.-Deep Nagar, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Manish Kumar No2

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case is that from the motorcycle of the petitioner, 18 litres of country made Mahua liquor were recovered.

It is submitted by learned counsel for the petitioner that the petitioner was not apprehended from the place of seizure hence, the said recovery can not be treated from the conscious physical



possession of the petitioner.

It is submitted by learned APP for the State that the recovery has been made from the motorcycle of the petitioner.

Considering the nature of recovery from the motorcycle of the petitioner, this court is not inclined to grant him anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with **Narhat (Sitamarhi) P.S. Case No.217 of 2018**, pending in the Court of learned **A.D.J.-II-cum-Spl. Judge, Nawada**.

However, it is expected from the learned Court below to dispose of the application of the petitioner on the same day, filed with a prayer for regular bail, keeping in view of the fact that the petitioner is not having any criminal antecedent, if he surrenders within a period of six weeks.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Deepak/-

U		T	
---	--	---	--

