

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20189 of 2019**

Arising Out of PS. Case No.-163 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Aurangabad

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MITHLESH PRASAD @ MITHTHU @ MITHALESH SINGH, aged about 48 years, Male, Son of Late Indradeo Prasad, Resident of Village Goura, P.S Madanpur, District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      02-04-2019                      Heard both sides.

Petitioner apprehends his arrest in Excise Case No.163 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The police raided the house of the petitioner and from the roof of the house of the petitioner, two litres of country made liquor was recovered.

Learned counsel for the petitioner submits that the petitioner was not residing in the house and petitioner has got no criminal antecedent but it appears that two litres of country made liquor was recovered from the roof of the house of the petitioner.

Taking into consideration the facts aforesaid, I am not



inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

If the petitioner surrenders in the court below within four weeks from the date of receipt of this order, the learned court below shall consider the prayer for bail of the petitioner taking into consideration that only small quantity, i.e., 2 litres of country made liquor was recovered from the roof of the house of the petitioner and dispose of the bail petition of the petitioner preferably on the same day.

**(Prabhat Kumar Jha, J)**

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