

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77557 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- ISUAPUR District- Saran

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Jai Prakash Rai @ Patha Rai @ Pataha Rai S/o Ganesh Rai @ Bhakur Rai,
R/o Vill.- Rampur Atauli, P.S.- Rasulpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh, Advocate
For the Opposite Party/s : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-02-2019 The petitioner seeks pre-arrest bail in connection with Isuapur P.S. Case No. 146 of 2018 registered under Sections 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Considering the allegation made in the FIR that the petitioner and three others were involved in sale of illicit liquor and recovery of 43 liters of illicit spirit (liquor) from a place from where the petitioner managed to escape, it cannot be said that no prima facie case is made out under the provisions of Bihar Prohibition and Excise Act, 2016.

In that view of the matter, keeping in mind the bar created under sub-Section (2) of Section 76 of the Bihar



Prohibition and Excise Act, 2016, I am not inclined to grant pre-arrest bail to the petitioner.

The application for grant of pre-arrest bail to the petitioner is rejected.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

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