

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26841 of 2019

Arising Out of PS. Case No.-520 Year-2018 Thana- NARPATGANJ District- Araria

Gurudeo Tudu, Son of Late Predhan Tuddu, Resident of Village-Pulha, Ward No.13, P.S-Narpatganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-07-2019 This is an application for grant of anticipatory bail in connection with Narpatganj P.S. Case No.520 of 2018, corresponding to Excise Special Case No. 1041 of 2018, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 10 liters of country made liquor from the Verandah of the petitioner.

Submission of the learned counsel for the petitioner is that there is non compliance of Section 100 of Cr.P.C. and he has no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that there is prima facie of recovery of country made liquor, as such, the petitioner is not deserved for anticipatory bail.



Having heard both sides, in view of the allegation and recovery of country made liquor from the verandah of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on its own and if, possible to be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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