

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34896 of 2019

Arising Out of PS. Case No.-360 Year-2018 Thana- BALIYA District- Begusarai

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SOHAN SINGH Son of Late kailash Singh R/o village- Lakhminia, P.S.-
Ballia, Dsitrict- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-08-2019 This application, for grant of anticipatory bail,

arises out of Ballia P.S. Case No. 360/18, disclosing offences

under Sections 30(a) of the Bihar Prohibition of Excise Act,

2016.

Allegation is of recovery of 34 litres and 920 M.L. of

liquor from the straw house of the petitioner. Apart from that

petitioner is accused in two more case of similar nature.

Submission of learned counsel for the petitioner is

that as a mater of fact son of informant is engaged in liquor

trade and in spite of protest by the petitioner, he is not willing to

leave the said business and due to the recovery, the petitioner

has been implicated in the case.

Learned counsel for the State opposed the prayer for

bail on the ground that there is recovery from the straw house of



the petitioner and, therefore, he does not deserve the privilege of anticipatory bail.

Having heard both sides, considering the facts and circumstances as well as the fact that petitioner is accused in two 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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