

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28608 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- AMAS District- Gaya

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SUJIT KUMAR YADAV @ SUJIT KUMAR @ SUJIT YADAV Son of
Indradeo Yadav Resident of Village - Haridaspur, P.S.- Amas, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-07-2019 This application, for grant of anticipatory bail, arises

out of Amas P.S. Case No. 31 of 2019, disclosing offences under

Sections 272 and 273 of the Indian Penal Code and Section

30(a) of the Bihar Prohibition of Excise Act, 2016.

Prosecution case is that police on information that

some people are illegally selling the country made liquor near

brick kiln and Murtiya Pahari, on which, they raided the place

and on seeing the police, two persons started fleeing away and

managed to flee away and on search 200 K.G. mahua jawa and

20 k.g. country made mahua wine was recovered.

Submission of learned counsel for the petitioner is

that the petitioner is 45% orthopedically handicapped and as

such, the prosecution story that on seeing the police, he fled

away appears to be improbable. Further submission is that



petitioner has no criminal antecedent and has falsely been made accused in this case.

Learned counsel for the State opposed the prayer for bail and submitted that *prima facie* case is made out against the petitioner.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may 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, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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