

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30721 of 2019**

Arising Out of PS. Case No.-618 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RATAN SINGH Son of Laxmi Singh Resident of Village- Iniyar, P.S.-
Mufassil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh
For the Opposite Party/s : Mr.Arbind Kumar Pandey (App84)

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

5 06-08-2019 This application, for grant of anticipatory bail, arises

out of Muffasil P.S. Case No. 618/2018, disclosing offences

under Sections 30(a)/32 of the Bihar Prohibition of Excise Act,

2016.

Allegation is of recovery of 87.48 litres of foreign

liquor from the straw house of the petitioner.

Submission of learned counsel for the petitioner that

he has no criminal antecedent and he has falsely been implicated

in this case and further the straw house is not the part of

residential house of the petitioner and situated far away from the

residential house of the petitioner and it is an open place and is

accessible to everyone.

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, a *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, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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