

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30904 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

MD. ABBAS S/o- Late Abdul Gaffor Resident of Village- Khajasarai, P.S.-
Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Laherisarai P.S.Case No.38/19 registered for offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is about recovery of 59.250 ltrs. of liquor from the house of the petitioner and his wife.

Submission of the learned counsel for the petitioner is that the seizure list shows that the recovery is from the house of Munni Khatoon, who is wife of the petitioner and the petitioner was accused in such type of case earlier also.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there is *prima facie* allegation against the



petitioner..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may surrender before the learned court below and pray for regular bail, which will be considered on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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