

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28702 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- NARPATGANJ District- Araria

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RAHUL RAJ @ RAHUL KUMAR RAJ Son of Anirudh Mandal Resident of
Village - Dumaria Ward No. 13, P.S.- Narpatganj, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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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 Special Case No. 4/19 arising out of Narpatganj

P.S. Case No. 1/19, disclosing offences under Sections 30(a) and

38(2) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 7.50 litres of Indian made
foreign liquor and 340 bottles of cough syrup each containing
100 M.L. from the house of the petitioner.

Submission of learned counsel for the petitioner he
has no criminal antecedent and has falsely been made accused
int his case and he was not present at the house.

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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