

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28908 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- DHURAIYA District- Banka

MANOJ CHOUDHARY Son of Prakash Choudhary Resident of Village -
Bishanpur, P.S.- Dhoraiya, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-07-2019 This application, for grant of anticipatory bail, arises
out of Dhoraiya P.S. Case No. 55/2019, disclosing offences
under Sections 30 (a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 3.5 litres of country
made liquor from the house of the petitioner.

Submission of learned counsel for the petitioner is
that he has no criminal antecedent and has falsely been
implicated in this case and in fact nothing has been recovered
from his 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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