

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32088 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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SURENDRA YADAV Son Shankar Yadav Resident of Village - Milik Pokhar,
P.S.- Manihari, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with C-1 Case No.57/2019 registered for offences punishable under Sections 30(a) read with Section 13 of the Bihar Prohibition and Excise (Amendment) Act, 2016.

Allegation against the petitioner is about recovery of 24 ltrs. of foreign liquor from the toilet of the petitioner.

Submission of the learned counsel for the petitioner is that it is a joint house and the toilet is situated outside the house. Petitioner has no criminal antecedent.

Heard learned A.P.P., who has opposed the prayer for bail on the ground of maintainability as there is *prima facie* case 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, if the petitioner surrenders before the learned court below and pray for regular bail, the same will be considered by the learned court below on its own merit and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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