

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35179 of 2019**

Arising Out of PS. Case No.-38 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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VIRENDRA MODI @ VIRU @ BIRENDRA MODI @ BIRU Son of Late
Kamleshwari Modi Resident of Punjabi Muhalla, Ward No.06, Police Station-
Kabaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 07-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 30(a), 32, 41
and 56 (a) of the Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in the present
case. He submits that petitioner has got criminal antecedent i.e.
Excise Case No. 06 C 2 of 2017 under Section 30 (a) of the
Bihar Prohibition and Excise Act in which case he is on bail.

In view of the Full Bench judgment passed in Cr.
Appeal (SJ) No. 431 of 2019 dated 17.05.2019 (Ram Vinay
Yadav Vs. The State of Bihar), I am not inclined to enlarge the



petitioner on anticipatory bail. Accordingly, his payer for anticipatory bail is rejected in connection with Excise Case No. 38 C 2 of 2019 from the court of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Lakhisarai.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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