

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38702 of 2019

Arising Out of PS. Case No.-70 Year-2008 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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MAHENDRA PRASAD YADAV Son of Late Badri Prasad Yadav @ Badri Lal Yadav Resident of Village -Gopia Toli, P.S.- Kochadhaman, District-Kishanganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Najmul Hoda

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Case No. CC-70 of 2008, C.I.S. No. 1280 of 2017 registered for the offence punishable under Section 47(a) of Bihar Excise Act.

Allegation is of recovery of liquor from the Gumti of the petitioner.

Submission of learned counsel for the petitioner is that when the case was filed the offence was bailable.

Heard learned APP and perused the report from which it appears that in spite of exhausting all the processes the petitioner has not appeared and cognizance was taken in this case in the year 2008, as such learned Special Judge has not granted the privilege of anticipatory bail to the petitioner.



In view of above facts and circumstances, let petitioner surrender in the court of learned Special Judge and pray for regular bail, which shall be considered by learned Special Judge after verification of the fact as to whether any summons or warrant has been issued against the petitioner and other materials available on the record and, if possible, to be disposed of on the same day.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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