

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34531 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

MAHATAM SINGH @ MAHATAM KUMAR SINGH Son of Ravindra
Singh Resident of Village- Paharpur Chhangur, Police Station- Kuchaikote,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2019 This application, for grant of anticipatory bail,

arises out of Kuchaikote P.S. Case No. 93 of 2019, disclosing

offences under Sections 37(b)(c), 30(a), 38(2) and 41(1) of

Bihar Prohibition and Excise Amendment Act, 2018.

Allegation is of recovery of 24.4 litres of liquor from

outside the house of the petitioner adjacent to the wall concealed

into a ditch.

Submission of learned counsel for the petitioner that

petitioner has no criminal antecedent and he has falsely been

implicated in this case and the recovery is not from the house of

the petitioner.

Learned counsel for the State opposed the prayer for

anticipatory bail.



Having heard both sides, considering the facts and circumstances as well as the fact that petitioner is an accused in one more case of similar nature, 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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