

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34837 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- HAYAGHAT District- Darbhanga

Kailash Ray, Son of Late Hari Ray, Resident of village- Purvi Uchouli, P.S.-
Hayaghat, District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Choudhary

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-08-2019 This is an application for grant of anticipatory bail in connection with Hayaghat P.S. Case No. 12 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation of recovery of 24.750 liters of liquor behind the house of the petitioner and apart from that it appears that petitioner is an accused in one more case of similar nature.

Submission of the learned counsel for the petitioner is that nothing has been recovered from his residential house rather outside from the house, which will appear from the F.I.R.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that not only the recovery is made behind the house of the petitioner but he is an accused in one more case of similar nature. As such, this application is not



maintainable.

Having heard both sides, in view of the allegation and the quantity of the liquor recovered behind the house of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail on the basis of materials available on record.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

