

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36009 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

LOHA SINGH S/o Mani Singh R/o village- Agion Bazar, P.S.- Agion Bazar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-08-2019 This application, for grant of anticipatory bail, arises out of Agion Bazar P.S. Case No. 46 of 2019, disclosing offences under Sections 30(A)/ 37(B) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 5.57 litres of liquor from his straw house.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case and the place from which the recovery has been made is an open place and is accessible to everyone.

Learned counsel for the State opposed the prayer for bail and submitted that there is recovery from the straw house of the petitioner and, therefore, *prima facie* case is made out against the petitioner.



Having heard both sides, considering the facts and circumstances of the case, 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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