

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40652 of 2019**

Arising Out of PS. Case No.-80 Year-2019 Thana- BIBHUTIPUR District- Samastipur

SANJAY KUMAR @ BHARTI Son of Late Jagal Narayan Singh Resident of Alampur Kodaria, Ward No. 1, Police Station- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Sharma

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 02-07-2019 This application, for grant of anticipatory bail, arises out of Bibhutipur P.S. Case No. 80 of 2019, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 185 litres of liquor from the house of the petitioner.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case and the house from which the recovery has been made is a joint house.

Learned counsel for the State opposed the prayer for bail and submitted that *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, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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