

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42814 of 2019**

Arising Out of PS. Case No.-125 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

RAJ KUMAR SAH Son of Basdeo Sah Resident of Village-Amra Talab, P.S.-
Sasaram (M), District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Madan Kumar

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

2 12-07-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Sasaram (Muffasil) P.S.Case No.125/2019 dated 21.4.2019 , registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 20 ltrs. of mahua liquor from the house of the petitioner, apart from that he is accused in one case of similar type.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case and the house is joint house and there is no compliance of provisions of Section 100 Cr.P.C.

Heard learned A.P.P. who has opposed the prayer for bail on the ground that there is *prima facie* case against the



petitioner, as such this application is not maintainable. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner and he may surrender and pray for regular bail, which will be considered by the learned court below on its own merit and if possible to be disposed of on the same day.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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