

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48947 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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MOHAN SAH Son of Late Munshi Lal Sah Resident of Village - Gangapur,
Ward No.02, P.s.- Musari Gharari, Dist.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-08-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Excise Case No.15 of 2019 dated 12.1.2019 , registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 05 and odd ltrs. of liquor from behind the house of the petitioner.

Submission of the learned counsel for the petitioner is that recovery is not from his house or possession of the petitioner rather from behind the house of the petitioner as well as he has no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground of maintainability.



Having heard both sides and in view of the facts and circumstances as stated above, I am not inclined to grant privilege of bail to the petitioner however, he may surrender and pray for regular bail, which will be considered by the learned Special Judge on the basis of materials available on record and if possible to be disposed of on the same day.

(Vinod Kumar Sinha, J)

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