

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47937 of 2019**

Arising Out of PS. Case No.-233 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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BABULAL CHAUDHARY Son of Jethu Chaudhary Resident of Village -
Padmawat, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 47A of
the Excise Act.

It is alleged that from the muddy house of the
petitioner, 4 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner
that the petitioner has maliciously been roped in the present
case. The case was registered in 2011 under the old Excise
Act and the petitioner was not aware about the case being
lodged.

This Court is not inclined to exercise the



jurisdiction for granting of anticipatory bail to the petitioner since the case was lodged in the year 2011 when the present Criminal Miscellaneous application has been registered on 31.07.2019.

However, in view of the quantity of recovery, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner and preferably disposed of the same on the same day, if the petitioner surrenders within a period of six weeks in Case No. 233 C2 of 2011, pending before the learned Additional Sessions Judge-II, Jamui.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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