

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50188 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- AMNAUR District- Saran

MUSAFIR RAM @ MOSAFIR RAM Son of Late Lochan Ram Resident of
Village - Jhakhari, P.S.- Amnaur, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2019 This application, for grant of anticipatory bail, arises
out of Amnaur P.S. Case No. 181/2019, 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 4 litres of country made
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 recovery is from the house of the
petitioner and, therefore, a *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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