

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50182 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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LADHAI MANJHI @ RAJENDRA MANJHI Son of Chandra Manjhi
Resident of Village - Kendui Bhuitoli, P.S.- Magadh Medical Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2019 This application, for grant of anticipatory bail,

arises out of Magadh Medical P.S. Case No. 44/2019,

disclosing offences under Sections 30 (a) (d) of the Bihar

Prohibition of Excise Act, 2016.

Allegation is of recovery of 10 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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