

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51279 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- GADHPURA District- Begusarai

SANTOSH KUMAR @ SANTOSH KUMAR RAY Son of Bibhuti Bhushan Ray @ Chandra Bhushan Ray Resident of Village - Khumharson, P.S.- Garhpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-08-2019 This application, for grant of anticipatory bail, arises out of Garhpura P.S. Case No. 75 of 2019, disclosing offences under Sections 30(a) of the Bihar Prohibition of Excise Act, 2016.

Prosecution case is that the police on information that huge quantity of liquor is kept in the house of the petitioner, on which, they went there but nothing has been recovered from the house of the petitioner rather the recovery was made from outside the house, near boundary wall and the recovery of 24 pieces each containing 7.75 M.L. and 126 pieces each containing 180 M.L. of Indian made foreign liquor was recovered. Apart from that it appears that petitioner is an accused in one more case of similar nature.



Submission of learned counsel for the petitioner that the has falsely been implicated in this case and nothing has been recovered from his house rather the recovery has been made from outside the house of the petitioner, which is an open place.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances as well as the fact that petitioner is an accused in one more case of similar nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should 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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