

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53565 of 2019

Arising Out of PS. Case No.-177 Year-2019 Thana- JOGBANI District- Araria

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Kashi Mandal, Son of Khitar Mandal (Wrongly stated Shuter Mandal)
Resident of Village - Baratpur, Bhadesar, P.S.- Jogbani (Bathnaha O.P.),
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-08-2019 This is an application for grant of anticipatory bail in connection with Special Case No. 787 of 2019, arising out of Jogbani (Badhanaha) P.S. Case No. 177 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case is of recovery of 54 liters of Nepali Liquor from the house of the petitioner. Apart from that he is an accused of similar type of offence.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and the house does not belong to the petitioner and so far as other case is concerned, he is on bail in that case.

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



recovery of liquor from the house of the petitioner.

Having heard both sides, in view of the allegation and the quantity of the liquor recovered from the house of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which shall be considered on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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