

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53776 of 2019

Arising Out of PS. Case No.-336 Year-2019 Thana- MOTIPUR District- Muzaffarpur

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LALBABU RAI Son of Ram Sogarath Rai @ Ram Swarth Ray Resident of
Village- Sandha Dambar Sedhi Tola, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Motipur P.S. Case No.336 of 2019 registered under
Sections 30(a) and 41(1) of the Bihar Prohibition and Excise
Act, 2018, pending in the court of the Special Judge, Excise,
Muzaffarpur.

The accusation is of recovery of 30 pouches, each
containing 180 ml. country made liquor, from the shop of the
petitioner.

Learned counsel appearing on behalf of the petitioner
submits that at the time of the alleged recovery, the petitioner
was not present in his shop and the petitioner has no criminal



antecedent.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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