

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62131 of 2019

Arising Out of PS. Case No.-258 Year-2019 Thana- PATNA CITY CHOWK District- Patna

JAYKANT RAY Son of Sajivan Ray Resident of Mohalla - Baglodan gali,
P.S.- Chowk, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-10-2019 This application, for grant of anticipatory bail, arises out of Special Case No. 6554/2019 arising out of Chowk P.S. Case No. 258/2019, 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 more than 200 litres of 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 recover has been made is a old house and nobody lives there.

Learned counsel for the State opposed the prayer for bail and submitted that there is recovery from the house of the petitioner as such, he does not deserve the privilege of anticipatory bail.



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, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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