

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79763 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- HATHAURI District- Muzaffarpur

Mukesh Sahni, S/o Late Bhagya Narayan Sahni, R/o Village-Baluahan, P.S-
Hathouri, Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Singh No.1, Adv.

For the Opposite Party/s : Mr. S.M. Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Hathauri P.S. Case No. 196 of 2018, dated 13.09.2018, instituted for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Though very less quantity of locally brewed liquor was recovered from the house of the petitioner; nonetheless since the recovery is from the house of the petitioner, this Court is not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail of the petitioner is, therefore, dismissed.

In case, the petitioner surrenders before the Court



below and prays for regular bail, the Court below shall take into account all such facts, viz., that only an aluminum utensil was stated and alleged to be an implement for the manufacture of such liquor and that very small quantity of liquor like substance was recovered from two plastic bottles and, thereafter, shall pass orders in accordance with the law, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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