

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59447 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- BIHIA District- Bhojpur

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UMA SHANKAR PASWAN Son of Dharam Raj Paswan Resident of Village
- Ganj, P.S.- Bihiya, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-09-2019 This application, for grant of anticipatory bail, arises

out of Bihiya P.S. Case No. 278/2019, disclosing offences under

Sections 30 (a) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 12 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 alleged

recovery has been made is a joint house.

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, if possible on same day, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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