

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62867 of 2019**

Arising Out of PS. Case No.-371 Year-2019 Thana- GAYA KOTWALI District- Gaya

Vinod Kumar @ Binod Kumar (Male), aged about- 36 years, Son of Late Ganga Ram, Resident of Village - Fatehtganj, Dalhatta lane, P.S.- Kotwali and Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 22-10-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Kotwali P.S. Case No. 371 of 2019 registered under section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police raided the house of the petitioner and recovered a total quantity of 27.4 illicit foreign liquor and illicit country made liquor from the house of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has got no criminal antecedent and has falsely been implicated in this case as well as the procedure of 100 Cr.P.C has not been complied by the raiding team.



After having heard learned counsel for the parties and taking into consideration the fact that the illicit liquor has been recovered from the house of the petitioner, in view of Full Bench decision, passed in Criminal Appeal (S.J.) No. 431 of 2019, I am not inclined to exercise my discretion to grant anticipatory bail.

This application is, accordingly, dismissed.

However, if the petitioner surrenders before the Court below within a period of three weeks from today and seeks regular bail, learned Court below may consider his application for regular bail without being prejudiced with the fact that present application for anticipatory bail has been rejected by this Court.

(Anil Kumar Sinha, J)

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