

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64585 of 2019

Arising Out of PS. Case No.-186 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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KANHAIYA YADAV Son of Kashi Yadav Resident of Village- Sri Nagar,
Ward No. 1, P.S.- Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Siwan C-III No. 186 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, pending in the court of Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan.

Allegation is of recovery of 13.875 litres of liquor from the house of petitioner.

Submission of learned counsel for the petitioner is that the house is in dilapidated condition and petitioner is residing in some other place and he has been made accused at the instance of police, having no criminal antecedent.

Heard learned APP, who has opposed the prayer for anticipatory bail stating that recovery is made from the house of



the petitioner.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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