

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69950 of 2019

Arising Out of PS. Case No.-398 Year-2019 Thana- AMARPUR District- Banka

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1. BHAIRO MANDAL Son of Late Ram Bhajju Mandal Resident of Village - Banvarsa, P.S.- Amarpur, Distt.- Banka.
 2. Chanda Devi W/o Bibhash Mandal Resident of Village - Banvarsa, P.S.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Sharma

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2019 This application, for grant of anticipatory bail, arises out of Amarpur P.S. Case No. 398/2019, disclosing offences under Sections 30 (a) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 50 Kg of Mahua flower and other materials for preparation of liquor has been recovered from the house of petitioner no. 1 and from the house of petitioner no. 2, 10 kg mahua flower along with other materials for preparation of liquor and 4 litres of country made liquor has been recovered.

Submission of learned counsel for the petitioners is that they have no criminal antecedent and have falsely been



implicated in this case.

Learned counsel for the State opposed the prayer for bail and submitted that there is recovery from the house of petitioners, as such, petitioners do 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 petitioners rather petitioners 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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