

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71871 of 2019

Arising Out of PS. Case No.-329 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Fantu Chaudhary @ Fantus Chaudhary, Son of Late Vinod Chaudhary, R/o -
Dumar, Adiwasi Tola, P.S.- Falka (Pothia), District- Katihar

... .. Petitioner/s

Versus

The State of Bihar T

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
C.I. Case No. 329 of 2019 registered for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

12.750 litres of illicit liquor is said to have been
recovered from the house of the petitioner and thereafter
prosecution report was submitted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Since, the above stated Bihar Prohibition and Excise
Act, 2016 bars to entertain the anticipatory bail in respect of
offences of the aforesaid act, in my view, this anticipatory bail is
not maintainable, accordingly, the prayer for anticipatory bail
stands disposed of being not maintainable.

However, petitioner is directed to surrender before the
court below within six weeks from today and if he does so and
makes prayer for regular bail, the concerned court shall consider



the regular bail application of the petitioner on its own merit
without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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