

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77963 of 2019

Arising Out of PS. Case No.-210 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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RAHUL PURVEY @ RAHUL KUMAR PURVEY Son of Late Birendra
Purvey Resident of Village- Mahrajganj, Ward No.13, P.S.- Madhubani Town,
District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is
no recovery from the conscious possession of the petitioner
rather 87.99 litres of foreign liquor and 29 litres of beer were
recovered from the possession of co-accused Prahlad Mahto. He
submits that petitioner bears two criminal antecedent of similar
nature as stated in para-3 of the bail petition.

Considering the facts and circumstances of the case, I
am not inclined to enlarge the petitioner on anticipatory bail.



Accordingly, his payer for anticipatory bail is rejected in connection with G.O. Case No. 210 of 2019 pending before the court of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

Accordingly, the application is dismissed. However, petitioner is directed to surrender before the learned court below and pray for regular bail and learned court below shall consider the bail application of the petitioner on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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