

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83871 of 2019

Arising Out of PS. Case No.-438 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

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CHANDAN KUMAR YADAV Son of Sukho Yadav Resident of Village -
Ramnagar, P.S.- K. Nagar (Champanagar), Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-12-2019 This application, for grant of anticipatory bail, arises

out of K. Nagar (Champanagar) P.S. Case No. 1438 of 2019,

disclosing offences under Sections 30(a) of the Bihar

Prohibition of Excise Act, 2016.

Allegation is of recovery of 12 litres of liquor from

the motorcycle of the petitioner and it appears that he is accused

in one more case..

Submission of learned counsel for the petitioner is

that he has falsely been implicated in this case at the instance of

the police and in fact nothing has been recovered in this case.

Learned counsel for the State opposed the prayer for

bail and submitted that there is recovery from the motorcycle of

the petitioner and, therefore, he does 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 petitioner rather petitioner has to 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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