

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79813 of 2018

Arising Out of PS. Case No.-201 Year-2018 Thana- AKBARPUR District- Nawada

Vijay Choudhary S/o Late Govind Choudhary, Resident of Village- Sanokhra,
P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-01-2019 Heard the learned counsel for the petitioner and
the State.

150 litres of country made liquor is said to have been recovered from the house of the petitioner who seeks bail in anticipation of his arrest in connection with Akbarpur P.S. Case No. 201 of 2018 dated 24.08.2018 instituted for the offence under Sections 30(a) of the Excise Act.

Regard being had to the quantum of recovery from the house of the petitioner, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the court below shall take into account that the petitioner does not have any criminal



antecedents and the requirement of Section 100 Cr.P.C. was not followed while conducting raid in the house of the petitioner and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

With the aforesaid observations, the petition is disposed of.

(Ashutosh Kumar, J)

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