

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82863 of 2019

Arising Out of PS. Case No.-339 Year-2019 Thana- SURSAND District- Sitamarhi

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Rafid Nadaf @ Rafid @ Md. Rafid, Son of Rajaak Nadaf, Resident of Village
- Majhaura, P.S. - Sursand, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-12-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Sursand P.S. Case No. 339 of

2019, dated 16.09.2019, instituted for the offences under

Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

10.5 litres of liquor is said to have been recovered

from the fodder house belonging to the petitioner.

It has been submitted on behalf of the petitioner

that the recovery is not from the constructive possession of



the petitioner and he is a person of clean antecedents.

However, considering the fact that the recovery is from the fodder house of the petitioner, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail of the petitioner is, accordingly, rejected.

However, should the petitioner surrender before the Court below within a period of four weeks and seek bail, the Court below shall consider the case on its own merits without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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