

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4910 of 2020

Arising Out of PS. Case No.-991 Year-2019 Thana- SAHARSA District- Saharsa

Twinkle Bhagat Son of Late Upendra Bhagat R/O- Machhali Market,
D.B.Road, P.S.- Saharsa, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari

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

ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Saharsa Sadar P.S. Case No. 991/2019 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

In huge quantity countrymade liquor was recovered
from *Dhaba* and the first information report goes to show that
the aforesaid *Dhaba* belongs to the petitioner, therefore, *prima
facie*, case for the offence of Bihar Prohibition and Excise Act,
2016 is made out against the petitioner and, therefore, in my
view, this anticipatory bail petition is hit by Section 76(2) of the
Bihar Prohibition and Excise Act, 2016.

Accordingly, this anticipatory bail petition stands
dismissed being not maintainable.



However, this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail petition of the petitioner.

(Hemant Kumar Srivastava, J)

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