

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.6718 of 2020**

Arising Out of PS. Case No.-316 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.  
District- Sitamarhi

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LALBABU RAI Son of Sri Shambhu Sharan Rai Residence of Village-  
Bhagwatipur, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh  
For the Opposite Party/s : Mr.Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA  
ORAL ORDER**

2      11-06-2020                      Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Complaint case No. C-2/316 of 2018 registered under Section 30(a) of the Bihar Prohibition & Excise Act.

The learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner. The petitioner was not apprehended on the spot and, thus, the petitioner deserves anticipatory bail but it appears that SSB Constable, who was guarding the Indo-Nepal international border, saw the petitioner and Gulshan Rai fleeing away after leaving the motor cycle from which 18 liters of Nepali Saufi



wine was recovered.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

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