

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9758 of 2020

Arising Out of PS. Case No.-497 Year-2019 Thana- HISUWA District- Nawada

DEEPAK KUMAR @ DIPAK KUMAR, S/o Ajit Singh @ Fanta, Resident of
Village- Panchu, Hisua (Near P.N.B Bank), P.S.- Hisua, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a), and 37(b) (c) of the Bihar Prohibition and Excise Act, 2016, as amended by Amendment Act 8 of 2018.

The prosecution case got initiated on the basis of self statement of Raj Kumar, S.I.-cum-S.H.O., Hisua Police Station recorded on 09.12.2019 at 5.10 P.M. is to the effect from the tea shop of the petitioner, 2.80 litres of country made liquor was recovered.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been roped in the present case. A statement has been made in



paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the tea shop of the petitioner.

Considering the recovery being made from the tea shop of the petitioner, the anticipatory bail application is not maintainable.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Hisua P.S. Case No. 497 of 2019, pending before the learned ADJ-II-cum-Special Judge, Nawada.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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