

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.15025 of 2020**

Arising Out of PS. Case No.-37 Year-2020 Thana- GAYA MUFASIL District- Gaya

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SANJEET SINGH @ SANJEET KUMAR SINGH @ KALIA Son of Umesh
Singh Resident of Village-Jagdishpur, near Sakshi Medical, Buniyadganj,
Police Station-Muffasil, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 04-09-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in this case is seeking pre-arrest bail in
connection with Muffasil (Gaya) P.S. Case No. 37 of 2020 registered
for the offences punishable under Sections 30(a) and 32(3) of the
Bihar Prohibition & Excise Amendment Act, 2018.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case as nothing has been
recovered from his conscious possession and the petitioner has been
made accused on the basis of identification of the Chaukidar.

Learned APP for the State has opposed the prayer for
anticipatory bail of the petitioner. It is submitted that from the house
of this petitioner illicit liquor has been recovered.

Having regard to the facts and circumstances of the case



wherein it appears from the seizure list that the recovery of illicit liquor has been made from the house of the petitioner, there being some *prima-facie* material to connect him with this case and in view of the Bar created under Section 76(2) of the Bihar Prohibition and Excise Act, 2016 and the judgment of the Hon’ble Full Bench of this Court in the case of **Ram Binay Yadav vs. The State** reported in **2019(2) PLJR 1089**, I am not inclined to grant privilege of anticipatory bail to the petitioner. His such prayer is refused.

In case the petitioner surrenders and prays for regular bail before the court below within four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading ‘Judicial Orders Passed During The Pandemic Period’.

