

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27803 of 2020

Arising Out of PS. Case No.-261 Year-2019 Thana- RAJAPAKAR District- Vaishali

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Nagendra Kumar S/O Chandeshwar Singh @ Chandeshwar Prasad Singh
Resident of Village - Bhalui, P.S. - Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 07-12-2020 This matter has been taken up in virtual Court proceeding.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Rajapakar P.S. Case No.261 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Petitioner is owner of the four-wheeler of which foreign liquor was recovered.

Submission is that petitioner was not there nor the petitioner had knowledge about the liquor.

Considering the presumption of law under Section 32 of Bihar Prohibition and Excise Act as well as consequent bar of



prayer of anticipatory bail under Section 76(2) of the said Act, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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