

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27750 of 2020

Arising Out of PS. Case No.-321 Year-2019 Thana- VAISHALI District- Vaishali

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1. MOTI RAI, S/o Gurudyal Rai
 2. Raju Rai @ Gulab Rai, S/o Moti Rai
Both Residence of Village - Bariarpur Salempur, P.S. - Vaishali,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 25-11-2020 The matter has been taken up through virtual Court proceeding.

Let the defects be removed within two weeks of the start of the physical Court.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

From the house of the petitioners, liquor was recovered. However, petitioners were not there.

Considering the presumption of law against the petitioners as contained in Section 32 of the Bihar Prohibition



and Excise Act as well as bar of prayer for anticipatory bail under Section 76(2) of the said Act, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Vaishali P.S. Case No. 321 of 2019 pending in the Court of learned 2nd Additional Sessions Judge-cum-Excise Court, Vaishali at Hajipur. Hence, prayer of the petitioners for anticipatory bail is refused.

(Birendra Kumar, J)

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