

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28355 of 2020**

Arising Out of PS. Case No.-898 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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AMARJEET KUMAR @ AMARJEET CHOUDHARY S/o Lalan Choudhary
Resident of Damodarpur, Ward No.14, P.S.-Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Adv
For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-12-2020 Let the defects be removed within two weeks of the

start of the physical Court.

Heard the parties in virtual Court.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

From the house of the petitioner, foreign liquor was
recovered.

Submission is that petitioner has got no criminal
antecedent and the house is occupied by other family members
also.

No other family member of the petitioner is accused
in this case except the petitioner.



Considering the presumption of law under Section 32 of Bihar Prohibition and Excise Act and consequent bar of the prayer for anticipatory bail under Section 76(2) of the Act, I am not inclined to enlarge the petitioner on anticipatory bail. Hence, prayer is refused in connection with Kanti P.S.Case No.898 of 2019 pending in the court of learned Special Judge, Excise Act, Muzaffarpur. Hence, prayer is refused.

Petitioner may surrender and prayer for regular bail.

(Birendra Kumar, J)

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