

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28283 of 2020

Arising Out of PS. Case No.-212 Year-2018 Thana- AANDAR District- Siwan

Sunil Yadav S/o Suryadev Yadav Resident of Village-Bhulichakari, Police Station-Raghunathpur, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-12-2020 This matter has been taken up in virtual Court proceeding.

Let the defects be removed within two weeks after opening of the physical court.

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

The petitioner is apprehending his arrest in connection with Andar P.S. Case No.212 of 2018, registered for the offences punishable under Sections 30(a)/36/41(i) of the Bihar Prohibition and Excise Act, 2016.

Liquor was recovered from the motorcycle of the petitioner. The petitioner was not there at the time of recovery.

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 within four weeks, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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