

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25780 of 2020

Arising Out of PS. Case No.-97 Year-2020 Thana- MITHANPURA District- Muzaffarpur

MUNNA SAH S/O Late Yogendra Sah R/o Mohalla - Goshala Chawk,
Rambag Road, P.S. - Mithanpura, District - Muzaffarpur, Bihar... Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-10-2020 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 offence punishable under Section 30(A) of
Bihar Prohibition and Excise Amendment Act.

From the shop of the petitioner, foreign liquor was
recovered. Petitioner and full brother of the petitioner are
accused in this case. They were not there at the time of recovery
of liquor.

Considering the presumption of law under Section 32
of the Bihar Prohibition and Excise Act as well as considering
the bar of prayer for anticipatory bail under Section 76(2) of the
said Act, in my view, this application has got no merit,
accordingly it stands dismissed in connection with Mithanpura
P.S.Case No.97 of 2020 pending in the court of learned Special



Judge, Excise Act, Muzaffarpur.

However, in the event of surrender of the petitioner, prayer for regular bail shall be considered without being prejudiced by this order especially considering the fact that the petitioner has got no criminal antecedent.

(Birendra Kumar, J)

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