

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70422 of 2019**

Arising Out of PS. Case No.-402 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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GANESH PRASAD GUPTA Son of Late Vishwnath Saw Resident of
Shahpur Tikri Road, P.S.- Town, Distt - Aruangularad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 17-01-2020 This application, for grant of anticipatory bail,

arises out of Aurangabad Town P.S. Case No. 402 of 2019,

disclosing offences under Sections 30(a) of the Bihar

Prohibition of Excise Act, 2016.

Allegation is of recovery of 75.5 litres of liquor from

the Celerio vehicle of the petitioner parked in front of his house.

Submission of learned counsel for the petitioner that

he has falsely been implicated in this case and the real fact is

that petitioner is a businessman and he had gone to the Amritsar

in connection and in his absence, some one has kept the liquor

in his car to implicate him.

Learned counsel for the State opposed the prayer for

anticipatory bail and submitted that there is recovery from the



vehicle of the petitioner.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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