

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80439 of 2019

Arising Out of PS. Case No.-204 Year-2019 Thana- CHACKMEHSI District- Samastipur

KAMAL RAI @ KAMALDEV RAI @ KAMAL RAY, Son of Late
Prameshwar Ray @ Parmeshwar Rai, Resident of Village - Masumnagar
Chakmehsi, Police Station - Chakmehsi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code, Sections 47 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

1244.88 litres of foreign liquor was recovered from the fodder house of the petitioner. The police had raided the place on getting information that huge quantity of liquor is being unloaded thereat. At the time of recovery, petitioner was not there. Petitioner has stated on oath that he has got no criminal antecedent. Only petitioner is accused in this case.

Considering the nature of allegation and presumption of law under the provisions of the Bihar Prohibition and Excise



Act, 2016, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Chakmehsi Police Station Case No. 204 of 2019 pending in the court of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur.

Hence, prayer for anticipatory bail is refused.

In the event of surrender and on prayer for regular bail, the same shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

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