

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.623 of 2020

Arising Out of PS. Case No.-1109 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

Rajesh Bhagat @ Rajesh Kumar S/o Bhola Bhagat Resident of Dadar Koluha,
P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Ahiyapur P.S. Case No. 1109 of 2019 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and 30(a), 36, 38, 41 of Bihar Prohibition and Excise Act, 2016.

According to prosecution case, in huge quantity Indian
made foreign liquor was recovered behind the house of the
petitioner.

In my view, this petition is hit by Section 76(2) of
Bihar Prohibition and Excise Act, 2016 and accordingly, this
petition stands dismissed being not maintainable.

However, if petitioner surrenders and seeks regular



bail within six weeks, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

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