

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87246 of 2019

Arising Out of PS. Case No.-209 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Shikandar Mandal @ Sikandar Mandal Son of Late Brij Mohan Mandal
Resident of Village - Bishanpur Jichho, P.S.- Lodipur, District - Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Ram Bachan Singh

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**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
Excise Case No. 209 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2018.

According to prosecution case, recovery of illicit
liquor was made from *Bhusa Ghar* of the petitioner and,
therefore, in my view, this petition is hit by Section 76(2) of
Bihar Prohibition and Excise Act, 2018 and accordingly, this
petition stands dismissed being not maintainable.

However, if petitioner surrenders before the court
below within six weeks and seeks regular bail, 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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