

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86027 of 2019

Arising Out of PS. Case No.-249 Year-2018 Thana- GOH District- Aurangabad

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AJAY SAO @ AJAY KUMAR GUPTA Son of Mathura Sao Resident of
Village - Sagahi, P.S.- Sherghati, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore
Mrs. Rupa Kumari
For the Opposite Party/s : Mr.Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2020 Heard the learned senior counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Goh P.S. Case No. 249 of 2018 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The allegation is regarding recovery of huge quantity
of illicit liquor from the poultry farm of the petitioner as also
from his house.

The learned counsel for the petitioner has submitted
that the petitioner has been falsely implicated in the present case
and he is having a clean antecedent.

Having regard to the facts and circumstances of the
case and considering the submissions of the learned counsel for



the petitioner, this Court is of the view that since the illicit liquor has been recovered from the poultry farm and the house of the petitioner, it cannot be said that the provisions of the Bihar Prohibition and Excise Act, 2016 are not attracted in the present case, hence the present petition is not maintainable on account of the bar under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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