

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86800 of 2019**

Arising Out of PS. Case No.-219 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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Sanjay Kumar Son of Binda Rai Resident of Village-Paharpur, P.S.-
Nagarnaugsu, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Singh
For the Opposite Party/s : Mrs. Pushpa Sinha.1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 24-02-2020 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

From the courtyard of the petitioner, 5 litres of Indian
Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the
recovery has been made from the joint family house. A
statement has been made in paragraph no.3 of the petition that
the petitioner is not having any criminal antecedent.

Learned APP submits that recovery has been made from
the house of the petitioner and he is named in the FIR.



Considering the nature of recovery, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer of the petitioner for anticipatory bail is rejected.

However, learned Court below may consider the prayer of regular bail of the petitioner if he surrenders within a period of six weeks in connection with Case No. 219c3 Ex/19, pending in the Court of learned 3rd Additional District and Sessions Judge-cum-Special Court, Excise Act, Nalanda at Biharsharif.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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