

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21367 of 2021

Arising Out of PS. Case No.-1184 Year-2020 Thana- NAWADA District- Nawada

Butai Choudhary Son Of Prasadi Choudhary R/O Village- Nanoura, P.S.-
Nagar, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-11-2021 Let the defects, if any, be removed within four weeks
of the complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Nawada (Town) Case No.1184 of 2020, registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

Recovery of liquor is alleged from the house of the
petitioner. No other family member is co-accused in this case.
The petitioner has got no criminal antecedent.

Considering presumption under Section 32 and
consequent bar of prayer for anticipatory bail under Section
76(2) of Bihar Prohibition and Excise Act, I am not inclined to



grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner within two weeks, the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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