

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12313 of 2020

Arising Out of PS. Case No.-360 Year-2019 Thana- PALASI District- Araria

SUKHDEO KUMAR @ SUKHDEO SAH @ SUKHO Son of Late Sitaram
Sah Resident of Village - Baluwa, Kaliyaganj, Ward No. 6, P.S.- Palasi,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Special Case No. 1498 of 2019 arising out of Palasi P.S.
Case No. 360 of 2019 for the offence registered under Sections
30(a) of the Bihar Excise Prohibition Act, 2016.

The prosecution case in brief is that about 54 litres
Nepali wine has been recovered under the straw of the vacant
land of the petitioner and the seizure list corroborated the same.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in connection with the
present case due to village politics.

Learned counsel for the State resists the prayer for



bail of the petitioner and submits that during the course of search 54 liters of Nepali wine recovered under the straw of the vacant land of the petitioner, as such, it is not a fit case for anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. It is accordingly, rejected.

However, the petitioner is directed to surrender before the court below and files an application for regular bail on which the Court below shall pass necessary order in accordance with law without being prejudiced by the present order.

(Sunil Kumar Panwar, J)

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