

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24431 of 2021

Arising Out of PS. Case No.-325 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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MAHESH CHAUDHARY SON OF TENGAR CHAUDHARY R/O
VILLAGE - KESHAPI, P.S.- DOBHI, DIST.- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-12-2021 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

From the motorcycle of the petitioner, liquor was recovered. No one was there. Petitioner has got no criminal antecedent.

Considering presumption under Section 32 of the Bihar Prohibition and Excise Act, 2016 and consequence of bar of prayer for anticipatory bail under Section 76(2) of the said Act, I am not inclined to enlarge the petitioner on anticipatory bail. Hence, prayer for anticipatory bail is refused in connection with



Excise Case No. 325 of 2020 pending in the Court of learned
Additional Sessions Judge-cum-Special Judge, Excise Act,
Gaya/successor Court.

Petitioner is directed to surrender within a period of
two weeks and pray for regular bail.

(Birendra Kumar, J)

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