

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26540 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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SUKAN MAHTO @ BHULLA MAHTO S/o Gopal Mahto Resident of
Village- Khidarpur, Ward No.04, P.S.- Ghatho, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-12-2021 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

From the *Angan* of the petitioner, liquor was recovered. No other family member of the petitioner is accused in this case. Petitioner has got no criminal antecedent.

Considering presumption under Section 32 of the Bihar Prohibition and Excise Act, 2016 and consequent 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 in connection with Excise Case No. 37 of 2021 pending in the



Court of learned Additional Sessions Judge-II-cum-Special
Judge, Excise, Samastipur/successor Court.

Accordingly, prayer for anticipatory bail is refused.

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

(Birendra Kumar, J)

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