

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27760 of 2021

Arising Out of PS. Case No.-678 Year-2020 Thana- MAHUA District- Vaishali

Mithun Kumar S/o Sri Prem Singh Resident of Village- Ismailpur, P.S.-
Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-12-2021 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 Mahua P.S. Case No.678 of 2020, registered for the
offences punishable under Sections 30(a)/32(ii)/34(ii)/ 38(ii) /41
(i) of the Bihar Prohibition and Excise Act.

From the motorcycle of the petitioner liquor was
recovered.

Considering presumption of law against the petitioner
as contained in Section 32 of the Bihar Prohibition and Excise
Act as well as bar of prayer for anticipatory bail under Section
76(2) of the said 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 four 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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