

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31603 of 2021**

Arising Out of PS. Case No.-814 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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PRADEEP KUMAR S/o Shiv Pujan Mehta R/o Mohalla- Mahua Sahid (Near
Dharamshala Chowk), P.S.- Aurangabad (Town), District- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-12-2021 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 (Amendment) Act,
2018.

From the auto rickshaw of the petitioner, huge
quantity of liquor was recovered. However, no one was there at
the time of recovery. Petitioner has got no criminal antecedent
under the Bihar Prohibition and Excise Act. No other person is
accused in this case.

Considering presumption under Section 32 of the
Bihar Prohibition and Excise Act, 2016 and consequent bar of



prayer for anticipatory bail in connection with Excise P.S. Case No. 814 of 2019 pending in the Court of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Gaya/successor Court.

Accordingly, prayer for anticipatory bail is refused.

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

(Birendra Kumar, J)

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