

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25825 of 2020

Arising Out of PS. Case No.-52 Year-2020 Thana- BHAGWANPUR District- Begusarai

JITENDRA CHAURASHIA @ JITENDRA CHAURASIA Son of Late Jagdish Chaurasia @ Late Jagdish Prasad Chaurasia Resident of Village- Chandaaur, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-01-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) pf Bihar Prohibition and Excise Act, 2016.

Recovery of liquor is alleged from possession of Annu Sada, he stated that the petitioner fled from there. Thereafter from behind the shop of the petitioner, liquor was recovered. Petitioner has got identical criminal antecedent.

Considering the presumption of law under Section 32 of the Bihar Prohibition and Excise Act against the petitioner as well as consequent bar of prayer for anticipatory bail under Section 76(2) of the Act, I am not inclined to interfere with the



impugned order of refusal of prayer for anticipatory bail. Hence, prayer is refused in connection with Bhagwanpur P.S.Case No.52 of 2020 pending in the court of learned Additional Sessions Judge-II, Begusarai-cum-Special Judge, Bihar Prohibition and Excise Act.

Petitioner may surrender and pray for regular bail.

(Birendra Kumar, J)

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