

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33672 of 2020**

Arising Out of PS. Case No.-40 Year-2020 Thana- MUFFASIL District- Aurangabad

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ARUN YADAV @ ARUN KUMAR SON OF NARAYAN YADAV Resident
of Village- Ajarkabe Hasauli, P.S.- Aurangabad Mufassil, District-
Aurangabad (Bihar)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 15-03-2021 Heard Ms. Leelawati Kumari, the learned counsel

for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Aurangabad Muffasil P.S. Case No.
40 of 2020 dated 20.03.2020 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Regard being had to the fact that there is recovery
of excisable items from the door of the house of the
petitioner, I am not inclined to grant anticipatory bail to him
notwithstanding the fact that he is a person of clean
antecedents.



The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the court below shall consider that application in proper perspective and shall take into account the fact that the petitioner is a person of clean antecedent and shall pass orders in accordance with law without being prejudiced by the fact that the present petition for grant of anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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