

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45941 of 2021

Arising Out of PS. Case No.-212 Year-2021 Thana- BARACHATTI District- Gaya

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Jitendra Chaudhary S/O Late Munni Chaudhary @ Sita Chaudhary R/O
Village-Makhdumpur, P.S-Barachatti, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2021 Let the defects, if any, be removed within four weeks
after 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 Barachatti P.S. Case No.212 of 2021, registered for the
offences punishable under Sections 30(a)(c)/32(2) of the Bihar
Prohibition and Excise Act.

Recovery of liquor is alleged from the house of the
petitioner and one Karmu Malakar was found in inebriated
condition in the said house. The petitioner has got no criminal
antecedent. No other family member of the petitioner is accused
in this case.

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 two 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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