

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46956 of 2021

Arising Out of PS. Case No.-13 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

MUKESH KUMAR Son of Sita Ram Yadav Resident of Village- Maliyapuni,
P.S.- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the physical Court.

Heard the parties.

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

From the motorcycle of the petitioner, liquor was
recovered. Petitioner has got no criminal antecedent.

Submission is that when the motorcycle was parked,
some unknown person might have put the said liquor on the
motorcycle.

Considering the presumption under Section 32 of the
Bihar Prohibition and Excise Act and consequent bar of prayer
for anticipatory bail under Section 76(2) of the said Act, I am



not inclined to enlarge the petitioner on anticipatory bail in connection with Magadh University P.S. Case No. 13 of 2019.

Hence, prayer is refused.

Petitioner is directed to surrender within two weeks and pray for regular bail.

(Birendra Kumar, J)

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