

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39615 of 2020

Arising Out of PS. Case No.-283 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

Nathuni Singh, S/o Late Hari Narayan Singh R/o Village- Kalyanipur, P.S.-
Chainpur, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar- Advocate

For the Opposite Party/s : Mr. Nagendra Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-06-2021 Heard Mr. Yogendra Kumar, learned advocate for
the petitioner and Mr. Nagendra Prasad, learned APP for the
State.

The petitioner seeks bail in anticipation of his
arrest in connection with Chainpur P. S. Case No.283 of 2020,
instituted for the offence under Sections 30(a), 30(d) of the
Bihar Prohibition and Excise Act, 2016 and Section ¾ of the
Bihar Excise (Mahua Flowers) Rule, 2006.

Regard being had to the fact that there has been
recovery of water soaked *mahua* from the house of the
petitioner and that he was earlier made accused in a case of
similar nature, I am not inclined to grant anticipatory bail to
him.

The prayer for anticipatory bail is rejected.



However, if the petitioner surrenders before the Court below and seeks bail, it shall be considered on its own merits, taking into account that the earlier case lodged against the petitioner was only of consuming liquor in which he has been granted bail and that the recovery is from a common house belonging to his brother as well, who has been taken into custody, and shall pass orders in accordance with law without being prejudiced that the fact that the present petition on his behalf has not been entertained.

The application stands disposed off.

(Ashutosh Kumar, J)

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