

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2040 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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BHOLA CHAUDHARY S/o Rajo Chaudhary, R/o village- Ahiya Chak (Katrisarai), P.S.- Katrisarai, District- Nalanda. At Present R/o Village/Nanihal- Chakway, P.S.- Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Ganesh Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-11-2021 Heard the parties.

This application for grant of anticipatory bail in connection with G.O. Case No. 200/2020 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

In view of the fact that prima facie a case under the Excise Act, is made out against the petitioner, this application for grant of anticipatory bail to the petitioner is not maintainable in view of the Full Bench decision of this Court rendered in the case of *Ram Vinay Yadav vs. The State of Bihar* reported in **2019(2) P.L.J.R. 1089 (F.B).**

Accordingly, this application is dismissed as not maintainable.



It is submitted by the petitioner that he is not involved in liquor smuggling, It is recovered from the Nanihal of the petitioner. The house of Nanihal was locked and he is not present there. It is further submitted that he has falsely been implicated in the present case. It is also submitted that the petitioner has clean antecedent.

This case was registered on 11th of September, 2020. In spite of being no stay order in favour of the petitioner, the police has not arrested him. It seems that the local police officers of Warisaliganj P.S. including the officer incharge are in connivance with the criminal and are protecting the criminals.

Hence, the Superintendent of Police, Nawada is directed to get the petitioner arrested within a week and file an affidavit regarding compliance of this Court's order.

Put up this case on 01.12.2021.

Let this order be communicated to the Superintendent of Police, Nawada forthwith through fax.

(Sandeep Kumar, J)

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