

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7360 of 2021

Arising Out of PS. Case No.-340 Year-2020 Thana- BELAGANJ District- Gaya

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Pintu Yadav @ Munesh Kumar Son Of Ramjee Yadav Resident Of Village -
Wajitpur, P.S.- Belaganj, Dist.-GAYA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2021 Heard.

The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 340 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 628.5 liters of illicit wine from the house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner lives along with his wife at Gaya and the house in question from where the illicit liquor has been recovered is situated in his village, hence the petitioner is at a loss to explain as to how the illicit liquor has been planted in his house. Nonetheless, the learned counsel for the petitioner submits that considering the bar under Section 76(2) of the



Bihar Prohibition and Excise Act, 2016, the petitioner be permitted to surrender before the learned court below, however, the learned court below be directed to take the aforesaid fact into consideration and dispose of the bail petition of the petitioner on the very same day.

Accordingly, the present petition stands disposed of as not pressed, however, with liberty to the petitioner to surrender before the learned court below and seek regular bail.

It is needless to state that in case the petitioner surrenders before the learned court below within a period of four weeks from today and prays for regular bail, the same shall be considered by the learned court below and disposed of on merits on the very same day, especially considering the aforesaid submission made by the learned counsel for the petitioner, apart from taking into account the fact that the petitioner is having a clean antecedent.

(Mohit Kumar Shah, J)

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