

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14116 of 2022**

Arising Out of PS. Case No.-527 Year-2021 Thana- SONEPUR District- Saran

Gajendra Rai Son of Ram Pravesh Rai Resident of Village - Baburwani, P.S. -
Sonepur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Abhay Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-07-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Sonepur P.S.
Case No. 527 of 2021, registered for the offence punishable
under Sections 30, 30(a), 38 and 41(i) of the Bihar Prohibition
and Excise Act, 2016.

100 litres of country made liquor has been recovered
from the hut situated in front of house of this petitioner.

It is submitted that nothing has been recovered from
conscious possession of this petitioner or from his premises.
Recovery has been made from the hut which does not belong to
this petitioner.

Counsel for State opposed the prayer for bail and
submitted that petitioner has got criminal antecedent of similar



nature.

Considering the fact that petitioner has got criminal antecedent of similar nature, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected in view of the provision 76(2) of the Bihar Prohibition and Excise Act.

(Prabhat Kumar Singh, J)

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