

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49782 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- BIHPUR District- Bhagalpur

BASHISHT PRASAD YADAV Son of Late Wakil Prasad Yadav Resident of
Village - Lagar, P.S.- Parbatta and District - Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Madan Mohan

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 15-02-2022 Heard both the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Bihpur (Bhawanipur) P.S. Case No.215 of 2020 instituted for the offences under Sections 30(d) (e) of the Bihar Prohibition and Excise Act, 2016.

Taking into consideration that the vehicle belongs to the petitioner from which liquor has been recovered, according to section 32(iii) of the Act, presumption would be withdrawn against the petitioner.

In view thereof, it cannot be said that there is no prima facie case made out against the petitioner, I am not inclined to grant benefit of anticipatory bail to the petitioner.

The same is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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