

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51753 of 2021

Arising Out of PS. Case No.-198 Year-2021 Thana- MASHRAK District- Saran

ASHOK SAH Son of Late Yogendra Sah Resident of Village - Dumarsan,
P.S.- Mashrak, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 16-02-2022 Heard both the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Mashrak P.S. Case No.198 of 2021 instituted for the offences under Sections 30, 30(a), 38 and 41 of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the accused persons, who were arrested found to be in possession of the liquor and disclosed the name of the petitioner to whom consignment is to be supplied. In the circumstances, learned counsel submits that on the basis of disclosure made by the accused persons the petitioner cannot be held guilty for the offence under section 30(a) of the Bihar Prohibition and Excise Act.



I have considered the submission.

Taking into consideration, prima facie this court is of the view that the petitioner cannot be said to have committed any offence under section 30(a) of the Excise Act and entitled for anticipatory bail.

Accordingly, I am inclined to grant anticipatory bail to the petitioner and in the event of arrest, he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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