

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52181 of 2021

Arising Out of PS. Case No.-394 Year-2020 Thana- BELAGANJ District- Gaya

BIRENDRA KUMAR @ BIRENDRA YADAV Son of Chamru Yadav
Resident of Village - Dali Bigha, P.S.- Belaganj, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Nityanand

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

ORAL ORDER

2 17-02-2022 Heard both the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Belaganj P.S. Case No.394 of 2020 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the liquor was recovered from a jungle and the petitioner has been wrongly connected with the case and no case can be said to be made under section 30(a) of the Bihar Prohibition and Excise Act, 2016 is made out.

I have considered the submission.

Considering the report submitted by the S.H.O., it is apparent that no case specified against the petitioner under



section 30(a) of the Bihar Prohibition and Excise Act, 2016 as he is neither present at the sight nor Mahua liquor can be said to be belonged to the petitioner, I am inclined to grant benefit of 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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