

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61764 of 2022

Arising Out of PS. Case No.-276 Year-2022 Thana- SUPAUL District- Supaul

=====

BABLU PASI Son of Shatrughan Pasi Resident of Village- Lalchandrapatti,
Ward No. 13, P.S. Supaul, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 73.830 liters liquor from the room and courtyard of petitioner's house.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that the house from where the alleged recovery has been made is registered in the name of his father who has



already been arrested.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that Section 76(2) of the Bihar Prohibition and Excise Act bars anticipatory bail application, it is further submitted that there is no plea in the anticipatory bail application that the house is a joint family property or petitioner has no concern with the house rather the petitioner accepts that the house belongs to his father.

Considering the submissions advanced by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

