

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2983 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- RUPAULI District- Purnia

Prakash Mandal, aged about 55 years, male, son of Late Chandra Mandal, r/o
village- Gwalpara Madrouni, PS- Rupauli, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Rupauli PS Case No.227 of 2023 dated 10.09.2023, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The allegation is of recovery of 15 litres country-
made illicit wine from the fire-wood house situated on the south
side adjacent to hand pump in the petitioner's house.

4. Learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of
the petitioner and he has been falsely implicated in this case.

5. Learned APP has opposed the prayer for bail and
submits that in view of Section 76(2) of the Bihar Prohibition



and Excise Act, 2016, the anticipatory bail application is not maintainable.

6. Considering the fact that illicit liquor has been recovered from the house of the petitioner, I am not inclined to extend privilege of anticipatory bail to the petitioner.

7. Accordingly, prayer of the petitioner for grant of anticipatory bail is rejected.

8. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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