

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3021 of 2024

Arising Out of PS. Case No.-272 Year-2023 Thana- IMAMGANJ District- Gaya

Shivnandan Bharti, aged about 44 years (Male), son of Late Ramdeo Bharti,
R/o village- Karmaun, P.S. - Imamganj, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Sinha, Advocate
		Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s :		Mr. Parmanand Prasad, 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
Imamganj PS Case No.272 of 2023 dated 25.10.2023, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The allegation is of recovery of 15 litres country-
made Mahua liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner was not present at the time of raid. The said liquor
was recovered from the house of the petitioner but it is a joint
house and agnates of the petitioner are also residing there.

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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