

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.745 of 2024

Arising Out of PS. Case No.-665 Year-2023 Thana- Excise P.S. District- Aurangabad

Sonu Kumar son of Puranmasi Singh Village Saina, PS Sheosagar District -
Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Aurangabad Excise P.S. Case No. 665 of 2023, registered for the
offence punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per allegation, the informant, on a secret
information, raided the place of occurrence and seized 120.96 liters
of illicit liquor from the alleged Maruti Alto car.

4. The learned counsel for the petitioner has submitted
that the petitioner has falsely been implicated in this case. He is a
person of clean antecedent. Nothing was recovered from his
conscious possession.

5. Section 76 (2) of the Bihar Prohibition and Excise Act,



2016 makes an explicit embargo on entertaining the application under Section 438 of the Cr.P.C.

6. If the petitioner surrenders and seeks regular bail before the learned court below, it shall be considered on the same day of its filing.

7. Accordingly, this petition is disposed of.

(Nawneet Kumar Pandey, J)

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