

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5299 of 2020**

Arising Out of PS. Case No.-405 Year-2019 Thana- NAANPUR District- Sitamarhi

Kamlesh Kumar @ Chhotu Kumar, Male, aged about 21 years, Son of  
Tapeswar Ray @ Tapeshr Ray Resident of Village - Temuha, P.S.- Pupri,  
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      29-02-2020                      Heard learned counsel for the petitioner and learned  
counsel for the State.

In this case, the petitioner is apprehending his  
arrest in connection with Nanpur P.S. Case No. 405 of 2019  
registered for offences under sections 30, 30(a), 38(i)(iii), 41 of  
the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the police, on receipt of  
secret information, recovered 1718 litres of foreign wine from  
the pick-up van and truck.

Looking to the quantity of liquor recovered as also  
considering the entire facts and circumstances of the case, this  
Court is not inclined to grant privilege of anticipatory bail to the  
petitioner.



Accordingly, the prayer for bail of the petitioner,  
above named, is rejected.

If the petitioner surrenders before the court below  
within a period of three weeks from today and makes a prayer  
for bail, the court below, without being prejudiced by this order,  
will pass orders in accordance with law.

**(Shivaji Pandey, J)**

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