

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.722 of 2015

Arising Out of PS.Case No. -14 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
KATIHAR

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Dinesh Yadav @ Dinesh Pd. Yadav, son of Late Mishri Yadav, R/o Village
– Maheshpur, P.S. Kursela, District – Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 08-01-2015

Heard both sides.

The petitioner apprehends his arrest in Kursela P.S.
Case No. CI 14 of 2014 for the offence under Section 47(A) of the
Excise Act.

The police raided the line hotel of the petitioner, from
where country-made liquor as well as foreign liquor were
recovered.

Learned counsel for the petitioner submits that the
petitioner was not apprehended on the spot. He was not having the
knowledge about keeping of liquor in his line hotel. The petitioner
has got no criminal antecedent.

From perusal of the prosecution report, it appears that
the line hotel of the petitioner was raided and 35 litres country-

made liquor and some bottles of foreign liquor, besides some bottles of beer, were recovered and it was found that the petitioner was selling the liquor without having licence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer is rejected.

The petitioner is directed to surrender in the court below within four weeks from today in connection with Kursela P.S. Case No. CI 14 of 2014, pending in the court of the learned Chief Judicial Magistrate, Katihar, and make prayer for regular bail.

The court below shall consider the prayer for regular bail of the petitioner taking into account that small quantity of liquor was recovered from the line hotel of the petitioner, without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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