

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40650 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
KATIHAR

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1. Dinesh Yadav S/o Late Dukhu Yadav R/o Village - Dilarpur, P.S. -
Manihari, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha

For the Opposite Party/s : Mr. A.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-10-2015

Heard both sides.

The petitioner apprehends arrest in a case
registered for the offence punishable under sections 47-A of the
Excise Act.

From the prosecution report itself it appears that
from the hut of the petitioner 60 liters of country made liquor and
other articles were recovered.

It is submitted that the hut in question does not
belong to the petitioner. Seizure list was prepared on 02.07.2015
and the same was sent to the court below on 08.07.2015. It
appears that the prosecution report was submitted on 08.07.2015.
It is also submitted that the seizure list does not bear signature of

the petitioner and/or his family members and petitioner has got no criminal antecedent.

It appears that at the time of raid petitioner and his family members had fled away and in their absence huge quantity of country made liquor was recovered.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner in connection with C.I. No. 12 of 2015 pending in the court of Sri Saba Alam, Judicial Magistrate, 1st Class, Katihar. This application for grant of anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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