

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16840 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Ram Sudista Rai, Son of Ram Lakshan Rai, Resident of village -
Bishwanathpur, P.S. Dumra, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Singh, Sub - Inspector Excise, Sadar Anchal, Sitamarhi

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-05-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 47(A) of the Excise Act.

The Sub Inspector of Police, on secret information,
raided the shop of the petitioner when 39 bottles of foreign liquor
were recovered. The petitioner is not a licensee; even then he was
selling foreign liquor.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner on anticipatory bail in Complaint Case
No.C-2/27 of 2014. Accordingly, the same is rejected.

The petitioner is directed to surrender in the court
below within four weeks from the date of receipt/production of a
copy of this order and the court below shall consider the prayer for

regular bail of the petitioner on its own merit without being prejudiced from the order of this Court and taking into account the fact that small quantity, i.e. about 7 litres of foreign liquor was recovered from the possession of the petitioner and shall dispose of the bail application of the petitioner on the same day.

(Prabhat Kumar Jha, J)

Dilip/-

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