

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41888 of 2014

Arising Out of PS.Case No. -179 Year- 2014 Thana -MARHAURA District- SARAN

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1. Narayan Ram Son of Bharat Ram Resident of Village-Asoyeeya, P.S.-
Morhowrah, District-Saran,

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kr Singh No.1

For the Opposite Party : Mr. Shyam Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-04-2015

Heard the parties.

The sole petitioner apprehends his arrest in connection with Marhaura P.S. case no. 179 of 2014 registered under Section 47 A of the Excise Act and Sections 272 and 273 of the Indian Penal Code.

On the self statement of the police officer the case was registered alleging therein that on getting information that illegal trade of country made wine was being carried out the informant made search of the house of the petitioner and one Rakesh Kumar Ram and altogether 105 litres of country made liquor/spirit was recovered/seized. Copy of the seizure memo containing the signature of witnesses is part of the First Information Report. On seeing the police making search of the

house the accused persons fled away.

Contention of the petitioner is that he is brother-in-law of Rakesh Kumar Ram, another accused. The spirit/liquor, therefore, cannot be said to have been recovered from the conscious possession of the petitioner.

Learned APP for the State opposed the prayer.

Considering the allegation, in my view, the petitioner does not deserve to be released on anticipatory bail. The prayer is accordingly rejected. Let the petitioner surrender and pray for regular bail before the learned Court below. In that event the learned court below shall consider and dispose of the same on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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