

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4374 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -DAUDPUR District- SARAN

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Mundrika Choudhary S/o Lachhan Choudhary Resident of Village
Ariyarwar, Police Station Daudpur, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-02-2015 Heard both the sides.

The petitioner apprehends his arrest in connection with
Daudpur P.S.Case No. 78 of 2014 for the offences punishable
under Sections 272 and 273 of the Indian Penal Code and Section
47 A of the Excise Act.

The police raided the house of the petitioner and his
brother and from there huge quantity of spirit, about more than
1500 liters of spirit, country made liquor and other articles were
recovered.

Learned counsel for the petitioner submits that the
petitioner is an old man and recovery was made from a joint
house. The petitioner is living in town and he has no concern with
the house from where the recovery was made. The petitioner is a

heart patient and he is under treatment of Dr. R.K.Agrawal.

On perusal of records it appears that the joint house of the petitioner situated in village Ariyaw, P.S.Daudpur was raided and from there huge quantity of spirit, country made liquor, refilling machine and other articles were recovered.

Considering the fact that the petitioner is one of the joint owners of the house, in question, I am not inclined to grant anticipatory bail to the petitioner in connection with Daudpur P.S.Case No. 78 of 2014.Accordingly the prayer is rejected.

The petitioner is directed to surrender in the court below within four weeks from today and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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