

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31280 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -PARSA District- SARAN

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Manoj Kumar Sahani @ Manoj Sahani, son of Ram Sunder Sahani,
Resident of Village- Parsauna, P.S. Parasa, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 20-08-2016 Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Parsa P.S. Case No.64 of 2016 registered under Sections 272 and

273/34 of the Indian Penal Code besides Section 47(A) of the

Bihar Excise Act, pending in the court of the Chief Judicial

Magistrate, Saran at Chapra.

The accusation is that in course of raid of the house of the

petitioner, 12 bottles of country made foreign liquor was

recovered from the varamadah of the courtyard of the house of the

petitioner and one Yogendra Sahani alias Yogi Sah was

apprehended there.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the aforesaid recovery was not made from the conscious possession of the petitioner rather the same is said to be made from the varamdah of the courtyard of the house of the petitioner. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the court below within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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