

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49110 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -BITHAN District- SAMASTIPUR

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Kamal Kishore Yadav @ Kamla Kant Yadav son of Late Raj Kumar Yadav
Resident of Village- Kaurahi, Police Station- Bithan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-12-2016 Heard both sides.

The petitioner apprehends his arrest in Bithan P.S. Case No. 53/2016, registered for the offences punishable under Sections 47(A) and 54 of the Excise Act.

The informant got secret information that Kamal Kishore Yadav the petitioner had kept huge quantity of liquor in his house. Raid was conducted and on search 485 bottles of different brands of Indian made foreign liquor was recovered.

Learned counsel for the petitioner submits that the house was joint one and the petitioner could not be held responsible for recovery of foreign liquor from the joint house.

Considering the facts aforesaid and the fact that huge quantity of foreign liquor was recovered from the house of the



petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below within four weeks from the date of receipt/production of a copy of this order, learned court below shall consider the prayer for regular bail of the petitioner not being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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