

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39936 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -PARSA District- SARAN

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1. Vijay Manjhi @ Dudhnath Manjhi Son of Late Baijnath Manjhi Resident
of Village-Banauta, P.S.-Parsa, District-Saran at Chapra (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 20-09-2016

Heard both sides.

The petitioner apprehends his arrest in Parsa P.S.
case No. 163 of 2015 under Section 272, 273 of the Indian Penal
Code and under Section 47(a) of the Excise Act.

The police got information that petitioner is indulged
in trade of illicit liquor and on such house of the petitioner was
searched. From the newly constructed house of the petitioner 25
liters of country made liquor and Rs. 5880/- were recovered.

It is submitted that during the course of investigation,
it has come that country made liquor was not recovered from the
house rather the same was recovered from the Darwaja of the
petitioner and for that the petitioner cannot be held responsible.
Seizure list does not bear the signature of any family member of

the petitioner.

It appears that 25 liters of country made liquor, besides the sale proceed of Rs. 5880/-, were recovered from the house of the petitioner. The petitioner managed to flee away. The petitioner was also noticed under Section 41 of the Cr. P. C.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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