

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39526 of 2016

Arising Out of PS.Case No. -2 Year- 2006 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

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Shio Lochan Chaudhari Son of Late Ram Deni Chaudhary Resident of
Village -Chaudhari Market mohania, P.S- Mohania, District - kaimur at
Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 17-09-2016 Heard both sides.

The petitioner apprehends his arrest in Excise Case No.
02/2006, registered for the offences punishable under Section
47(a) of the Excise Act.

According to prosecution report the house of the
petitioner was raided and different brands of Indian made foreign
liquor were recovered.

Learned counsel for the petitioner submits that the
petitioner has rented out his house to the tenant who was running a
liquor shop in that house. Petitioner is not at all responsible for
recovery of the liquor from his house. It is further submitted that
search and seizure was made in the year 2005, but the prosecution

report was submitted after one year of the search. No warrant was ever issued. Warrant of arrest was issued in the year 2016. It is further submitted that the tenant left out the house of the petitioner and the petitioner has been falsely implicated in this case.

It appears that house of the petitioner was raided and from there huge quantity of foreign liquor was recovered. The case was lodged in the year 2006. Petitioner filed petition for anticipatory bail only after ten years.

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

(Prabhat Kumar Jha, J.)

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