

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39992 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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Munna Chaudhary, S/o late Mahendra Chaudhary, Resident of Mohalla-
Rambag, P.S.-Mithanpura, District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Ram Bachan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-09-2016

Heard both sides.

The petitioner apprehends his arrest in Excise Case
No. 132/16 registered under Section 47(a) (d) and 57 of the Bihar
Excise Act.

The Inspector of Excise apprehended Mahesh Sah
and Ravi Kumar from whose possession two bottles of foreign
liquor were recovered and they are said to have disclosed that the
petitioner was keeping foreign liquor in his hotel Om Namo Namo
Bhojnalaya. On such information, the Excise Inspector raided Om
Namo Namo Bhojnalaya and from there, huge quantity of foreign
liquor of different brands was recovered but the petitioner was
found absconding. It is submitted that the petitioner is innocent.
The petitioner has annexed copy of Kirayanama Deed showing
that Uma Shankar Sah, owner of the land, let out the aforesaid

hotel to Radha Sharan Sah for running the hotel. The petitioner is not the owner of the hotel but from the prosecution report it appears that it was the petitioner who was running the hotel from where huge quantity of foreign liquor was recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Excise P.S. Case No. 132 of 2016. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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