

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26151 of 2016**

Arising Out of PS.Case No. -173 Year- 2016 Thana -TURKAULIYA District-  
EASTCHAMPARAN(MOTIHARI)

=====

MUNNA SAH son of Vishwanath Sah, resident of village- Banjariya  
Pandal Bajar Samiti road, P.S- Banjariya, District- East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

4      24-08-2016                      Heard Mr. Umesh Chandra Verma learned counsel for  
the petitioner as well as learned A.P.P.

The petitioner apprehends his arrest in Turkauliya  
(Banjaria) P.S. Case No. 173/2016 (G. R. Case No. 2214/2016),  
registered for the offences punishable under Sections 272, 273 of  
the Indian Penal Code and Sections 47(a), 54, 53(C) of the Bihar  
Excise Amendment Act, 2016.

The hut of the petitioner was raided from where 50 litres  
of toddy was recovered.

It is submitted that toddy is not included in the  
notification under Section 19(4) of the Bihar Excise Act, but at  
present toddy has also been included in the said act. It is further

submitted that the hut does not belongs to the petitioner. Petitioner has falsely been implicated in this case.

It appears that the petitioner was selling toddy and on information police raided his hut from where 50 litres of toddy was recovered.

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.)**

Vinita/-

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