

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34185 of 2016**

Arising Out of PS.Case No. -103 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

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1. Brajesh Lal Srivastava son of Late Sudarshan Lal Srivastava, Resident of Village- Chugari, Police Station- Vijaipur, District- Gopalganj.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Matloob Rab

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

3      29-09-2016      Heard both sides.

The petitioner apprehends his arrest in Vijaipur P.S. Case No. 103/2016, registered for the offences punishable under Sections 272, 273, 420 and 34 of the Indian Penal Code and Sections 47(a) and 53 of the Excise Act.

The police firstly raided Mushahar Toli of Singhpur and recovered country made liquor. The police again got information that in B.K.S. Brick Kiln of the petitioner Brajesh Lal Srivastava situated in village Chuhari country made liquor is being manufactured and on such information raided the brick kiln of the petitioner. The petitioner and his Munsii were found fleeing away after seeing the police. 38 litres of country made liquor and other articles meant for manufacturing of country made liquor were

recovered and seized.

Learned counsel for the petitioner submits that the informant knew the name of the petitioner from Chaukidar Lal Bachan Yadav but from perusal of the entire case diary it appears that Lal Bachan Yadav was not examined by the police during course of the investigation. Therefore, the case appears to be false.

From perusal of the FIR it appears that the informant knew that country made liquor is being prepared in the brick kiln of the petitioner Brajesh Lal Srivastava and on raid 38 litres of country made liquor was recovered. Seeing the raiding party, the petitioner and his Munsi fled away from there.

Considering the facts aforesaid and nature of allegation made against the petitioner, 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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