

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26144 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

Sunil Sah Son of Kanhaiya Sah, Resident of Village-Kobeya Bazar, Police Station-
Sugauli, District-East Champaran.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sugauli P.S. Case No. 80 of 2017 dated 26.03.2017 instituted under
Sections 272/273 of the Indian Penal Code and 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that bottles of
foreign liquor recovered from the co-accused who was caught is
attributed to have been bought from his betel shop.

4. Learned counsel for the petitioner submitted that he



was neither caught at the spot nor any recovery made from him and only on the statement of a person apprehended, he has been made an accused, which is improper, as his name has been taken only due to personal rivalry.

5. Learned A.P.P. submitted that the petitioner is a supplier of liquor which is prohibited in the State of Bihar.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J)

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