

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4945 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- BABUBARHI District- Madhubani

RAMBRIKSH PASWAN (M) age 55, son of Late Jaylal Pasawan Resident of
village-Bausi, P.S.- Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner. Learned
APP for the State is present.

The petitioner is apprehending his arrest in connection with Babubarhi P.S. Case No. 215 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition & Excise Act, 2016.

It appears from perusal of the application that there is an allegation of recovery of 5 liters of illicit liquor from the house/room belonging to the petitioner. It is the contention of the petitioner in his application that nothing incriminating has been recovered from conscious possession of the petitioner and the recovery from the room in question cannot be said to be from conscious possession of the petitioner.



Learned APP for the State has appeared and opposed the prayer of anticipatory bail of the petitioner. He has drawn attention of this Court towards seizure list which describes the place from where the alleged recovery has taken place.

According to the seizure list, the recovery is from the house of the petitioner.

In the given facts and circumstance of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

This application is dismissed.

In case the petitioner surrenders and prays for regular bail before the court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

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