

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9862 of 2019

Arising Out of PS. Case No.-303 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Kishore Sah@ Kishore Kumar @ Kishore Kumar Sah, Son of Baldeo Sah
Resident of Mohalla- Miyanchak, Ward No. 34, P.S. -Town, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-02-2019 Heard both sides.

The petitioner apprehends his arrest in connection with Excise Complaint Case No.303C2 of 2018 registered under Section 30(A) of Bihar Prohibition and Excise Act, 2016.

The gist of the allegation that on secret information one accused, Amit Kumar was apprehended and who is said to have disclosed that he purchased 100 piper whiskey from Sumit Kumar and on his disclosure, the house of the petitioner was searched and from there, liquor was recovered.

The learned counsel for the petitioner submits that the petitioner is not residing in the house. The house is semi constructed building. Nobody is residing there. Therefore, the recovery from such house cannot be said from the conscious



possession of the petitioner, but it appears that the liquor was recovered under coat situated in the room of the petitioner and the petitioner was found fleeing away from there.

Taking into consideration the fact that the liquor were recovered from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, it is rejected.

(Prabhat Kumar Jha, J)

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