

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8270 of 2019

Arising Out of PS. Case No.-909 Year-2018 Thana- SITAMARHI District- Sitamarhi

SUDU RAI Son of Jay Kishor Yadav Resident of Village – Bagahi, P.S. -
Sitamarhi, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-04-2019 This application, for grant of anticipatory bail, arises out of Sitamarhi P.S. Case No. 909 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 165 litres of Nepali Saufi liquor from the house of the petitioner and there further recovery of 124.5 litres of Nepali Saufi liquor from the Bansbari of one Nagendra Rai near the house of petitioner.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been made accused in this case and in fact nothing has been recovered in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that in



this case huge quantity of liquor has been recovered and out of which, 165 litres of liquor has been recovered from the house of the petitioner, as such, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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