

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10760 of 2019

Arising Out of PS. Case No.-369 Year-2018 Thana- MANIYARI District- Muzaffarpur

Vivek Sah Son of Amindra Sah, Resident of Village - Bishunpur Baghi, P.S.-
Maniyari, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-02-2019 Heard both sides.

The petitioner apprehends his arrest in Maniyari P.S.
Case No.369 of 2018 registered under Sections 272 and 273 of
the Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act.

The police searched the house of petitioner and from
bathroom of the petitioner, 216 bottles each containing 750 ml
Imperial Blue liquor and 336 bottles each containing 180 ml
Imperial Blue liquor were recovered.

Learned counsel for the petitioner submits that
bathroom of the petitioner is situated outside of the residential
house of the petitioner. Had the recovery been made from
conscious possession of the petitioner, the seizure list should
have been handed over to any family member of the petitioner,



but from perusal of F.I.R. itself, it appears that the police searched the house but no inmate of the house was found inside and huge quantity of Indian made foreign liquor was recovered from the house of the petitioner.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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