

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13945 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- RAJEPUR District- East Champaran

Gambhir Sahani, Son of Ganga Sahani, Resident of Village -Hanuman Nagar
Malah Tola, P.s.- Rajepur, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner. No one appears for the State to oppose this application.

Petitioner is seeking anticipatory bail in connection with Rajepur P.S. Case No. 175 of 2018 registered for the offences punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that although the recovery of illicit liquor is said to be from the house of the petitioner, but the same is a joint family house, therefore the petitioner has been falsely implicated without there being any recovery from the conscious possession of the petitioner.

Considering the facts and circumstances of the case



wherein it appears from the seizure list that substantial amount of illicit liquor has been recovered from the house of the petitioner, this Court finds no reason to extend the benefit of anticipatory bail to the petitioner.

The application is dismissed.

In case, the petitioner surrenders and prays for regular bail in 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 order of this Court.

(Rajeev Ranjan Prasad, J)

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