

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13647 of 2019

Arising Out of PS. Case No.-744 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Shankar Paswan Son of Umesh Paswan, Resident of Village- Sarmaipur, P.S.-
Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-03-2019 Heard both sides.

The petitioner apprehends his arrest in Kanti P.S. Case No.744 of 2018 registered under Sections 30(a), 41, 44 and 45 of the Bihar Prohibition and Excise Act.

The police got information that the petitioner had kept liquor in his house and on such, raid was conducted. One person Ajay Kumar was apprehended on the spot. The house of the petitioner was searched and from a room of the petitioner, 12 pieces of Royal Stag each containing 375 ml and 24 pieces of Royal Stag liquor each containing 180 ml were recovered.

Learned counsel for the petitioner submits that recovery was made from outer room of the petitioner. The house of the petitioner is situated in Sarmaipur but the seizure list



witnesses are of different village, which creates reasonable doubt about recovery of liquor from the house of the petitioner but from perusal of F.I.R. itself, it appears that the house of the petitioner was searched and from a room eight litres Indian made foreign liquor was recovered. The person, who was apprehended on the spot, also disclosed the fact that the house belongs to 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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