

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16180 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- HASPURA District- Aurangabad

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Bhola Prasad Sao @ Bhola Saw, Son of Devendra Prasad @ Devendra Saw,
Resident of Village - Gandhi Nagar, P.S.- Haspura, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-03-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case is that the informant received a secret information that a consignment of foreign liquor has arrived at village Gandhi Nagar and Balabigha. Whereupon, a raid was laid and from the house of the petitioner, 542 litres of Indian



Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the alleged recovery has been made from a joint family house and the petitioner does not reside at the alleged place of recovery which gets reflected from residential address mentioned in his Aadhar Card and other means of identification.

It is submitted by learned APP for the State that the recovery was made from the house of the petitioner and he is named in the FIR.

Considering the fact that the recovery has been made from the joint family house as suggested by the petitioner, this court is not inclined to grant him anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with **Haspura P.S. Case No.06 of 2019** pending in the Court of learned **Addl. District and Sessions Judge VII-cum-Special Judge (Excise), Aurangabad.**

Since the recovery has been made from the joint family house as suggested by the petitioner and the petitioner was not present at the place of seizure, the learned Court below may consider the prayer for regular bail of the petitioner, if he surrenders within a period of six weeks.



Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

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