

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16902 of 2019

Arising Out of PS. Case No.-308 Year-2018 Thana- PANCHRUKHI District- Siwan

1. ANIL SINGH aged about 35 years(male) Son of Late Babu Ram Singh
 2. Jitendra Singh aged about 37 years(male) Son of Late Babu Ram Singh
- Both are residents of Village - Nizampur, P.S.- Sarai O.P., District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-03-2019 Heard both sides.

The petitioners apprehend their arrest in Pachrukhi P.S. Case No.308 of 2018 registered under Sections 272, 273 of the Indian Penal Code and under Section 30(a) of Bihar Prohibition and Excise Act.

The gist of the allegation is that the informant, A.S.I. on secret information went to raid the hut of the petitioners but the petitioners after seeing the police managed to flee away. On search, 200 pieces of Romeo Whiskey each containing 180 ml. were recovered from the hut of the petitioners.

The learned counsel for the petitioners submits that seizure list does not bear the signature of any family members of the petitioners and the same creates reasonable doubt about



the genuineness of the seizure list but it appears that police raided the hut of the petitioners from where 36 liters of Romeo Whiskey was recovered. The seizure was made in presence of two witnesses but the copy of the seizure list could not be handed over to the family members as they all fled away after seeing the police.

Taking into consideration the facts that 36 liters of Romeo Whiskey is said to have been recovered from the hut of the petitioners and the petitioners have got criminal antecedent, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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