

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25759 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- GOVINDGANJ District- East Champaran

1. Umesh Ram Son of Lalan Ram, Resident of Village-Barwa, P.S-Govindganj, District-East Champaran.
2. Dinesh Ram Son of Lalan Ram, Resident of Village-Barwa, P.S-Govindganj, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-04-2019 Heard both sides.

The petitioners apprehend their arrest in Govindganj (Areraj) P.S. Case No.58 of 2019 registered under Sections 272, 273 of the Indian Penal Code and under Sections 30(a), 37(b) of the Bihar Prohibition and Excise Act.

During patrolling, the police apprehended two persons in drunken condition and on search, liquor was recovered from the dickey of motorcycle. The apprehended accused on enquiry disclosed that they had taken liquor from the house of Umesh Ram and Dinesh Ram who dealt in illicit liquor and on such, the houses of Umesh Ram and Dinesh Ram were searched. From the house of Umesh Ram, 8 litres of country made liquor and



from the house of Dinesh Ram 9 litres of country made liquor was recovered.

Learned counsel for the petitioners submits that the petitioners were not found inside the house and the recovery from the house shall not be deemed to have been recovered from conscious possession of the petitioners, but I find that since the recovery was made from the house of the petitioners and the apprehended accused had disclosed that they purchased the liquor from the house of the petitioners and the petitioners used to deal in illicit liquor.

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

(Prabhat Kumar Jha, J)

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