

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29375 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- BUDDHACOLONY District- Patna

Uday Yadav, Aged about 30 years, Male, Son of Dwarika Yadav, Resident of Mohalla - Chhakan tola, Utri Mandiri, P.S.- Budha colony, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-05-2019 Heard both sides.

Petitioner apprehends his arrest in Special Case No.1987 of 2019, arising out of Budha Colony P.S. Case No.67 of 2019, registered under Sections 272 and 273 of the Indian Penal Code as well as under Section 30(A) of the Bihar Prohibition and Excise Act.

The informant, a police officer, got inputs about illegal trade of country made liquor from the shop of Ajay Yadav and Uday Yadav, both are brothers and Sanjay Mahto. On such a raid was conducted and from the basement of the shop of the petitioner and his brother, Ajay Yadav, 39 bottles each containing 200 ml. Indian made foreign liquor were recovered.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and his brother was



running the rest house but on perusal of the record, it appears that both the brothers were running the rest house and from the basement of the rest house, 39 bottles each containing 200 ml. Indian made foreign liquor were recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from this order.

(Prabhat Kumar Jha, J)

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