

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25843 of 2019

Arising Out of PS. Case No.-386 Year-2018 Thana- MAHNAR District- Vaishali

Bhula Rai @ Rajnish Kumar, aged about 20 years, Male, Son of Tiwari Rai,
Resident of Village - Lawapur, Salempur, P.S.- Mahnar, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-04-2019 Heard both sides.

Petitioner apprehends his arrest in Mahnar P.S. Case No.386 of 2018, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The informant was going to arrest Bhulla Rai in connection with Mahnar P.S. Case No.204 of 2018 from his house but the informant found the door of the house of Bhulla Rai opened. Two persons started fleeing away with cartons from the back side of the house but on chase one Ramesh Kumar was apprehended and three cartons containing 116 bottles of Indian made foreign liquor were recovered.

Learned counsel for the petitioner submits that the brother of the petitioner was arrested. The residential house of the petitioner is joint with his brothers. Petitioner was not found



in the house. For recovery of liquor from a joint house, petitioner cannot be held responsible but it appears that Ramesh Kumar, the own brother of the petitioner on being apprehended with the cartons inside the house, disclosed that it was petitioner who had kept the cartons containing liquor and on seeing the police, petitioner managed to flee away. It also appears that the petitioner has got criminal case and he is also an accused in Mahnar P.S. Case No.204 of 2018, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

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.

(Prabhat Kumar Jha, J)

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