

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29379 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- MOTIPUR District- Muzaffarpur

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Ranjan Kumar, Aged about 30 years, Male, Son of Chandeshwar Rai,
Resident of Village Boariya @ Boaria, P.S Motipur, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-05-2019 Heard both sides.

Petitioner apprehends his arrest in Motipur P.S. Case No.64 of 2019, registered under Sections 30(a) and 38(i) of Bihar Prohibition and Excise Amendment Act, 2018.

The informant, A.S.I. of Motipur Police Station, got information that Ranjan Kumar, the petitioner, had kept foreign liquor in his house. The informant went to the house of the petitioner in order to verify the information but petitioner managed to flee away. On search 39 bottles of Royal Stag each containing 375 ml. were recovered.

Learned counsel for the petitioner submits that the seizure list does not bear the signature of any family member of the petitioner. The search was made in contravention of the provisions of search and seizure and petitioner has falsely been



implicated in the case but the facts itself reveal that the informant got information that petitioner had kept liquor and on search 39 bottles of Royal Stag each containing 375 ml. were recovered from the house of the petitioner. The witnesses, who are villagers of the petitioner, put signature on the seizure list in absence of family member of the petitioner.

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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