

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32599 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

Subodh Kumar, Aged about 24 years, Male, Son of Akindra Prasad, Resident of Village- Sodhna Madhopur, P.S.- Siwaipatti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-05-2019 Heard both sides.

Petitioner apprehends his arrest in Siwaipatti P.S.
Case No.41 of 2019, registered under Sections 30 and 30(a) of
the Bihar Prohibition and Excise Act.

On secret inputs, the informant went to raid the betel
shop of the petitioner but petitioner managed to flee away after
seeing the police. On search 4.710 litres of Indian made foreign
liquor was recovered from the room situated behind the shop of
the petitioner.

Submission of the petitioner is that the search and
seizure is manufactured. No room behind the shop of the
petitioner is situated but it appears that the petitioner is running
a betel shop in the market and behind the shop of the petitioner
there is a room from where liquor was 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 before the court below, the learned court below shall consider the prayer for bail of the petitioner on its own merit without being prejudiced from this order.

(Prabhat Kumar Jha, J)

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