IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34586 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- KARAHGAR District- Rohtas

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Rakesh Kumar, Son of Vijay Singh, Resident of Village- Tenduda, P.S.- Kargahar (Barahari O.P.), District- Rohtas.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

3 07-08-2019 This is an application for grant of anticipatory bail in connection with Karagahar (O.P. Barahari) P.S. Case No. 62 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the F.I.R. there is an allegation that police has received an information that petitioner has stored foreign liquor in his house and on that, police raided the place of occurrence and recovered 354.240 liters of foreign liquor from the house of the petitioner and police arrested one Nitish Kumar, who also disclosed the name of the petitioner.

Submission of the learned counsel for the petitioner is that the house is not the residential house and he has falsely been implicated in this case, having no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that there is a prima facie

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allegation as per the F.I.R. against the petitioner, as such, this application is not maintainable.

Having heard both sides, in view of the allegation and the quantity of the liquor recovered from the house of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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