

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39455 of 2019**

Arising Out of PS. Case No.-47 Year-2019 Thana- CHAKAI District- Jamui

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1. NARESH TUDDU Son of Budhan Tuddu Resident of Village-Dumma, P.S.- Chakai, District-Jamui.
  2. Arjun Murmu Son of Churka Murmu Resident of Village-Budhiya Tanr, P.S.- Chakai, District-Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Sinha  
For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      27-06-2019                      Heard both sides.

The petitioners apprehend their arrest in Chakai P.S. case No. 47 of 2019 registered under Section 272, 273/34 of the IPC and u/s 30(a) of the Bihar Prohibition & Excise Act.

When the informant reached near Chakai chowk he got information that petitioners were selling liquor from their shop and house and on such raid was conducted. The petitioners managed to flee away. Ten liter country made liquor each from the shop and house of petitioners was recovered.

The learned counsel for the petitioners submits that there is no independent witness of the seizure list. The seizure list was not handed over to the inmates of the house. The seizure



of liquor itself is doubtful but it appears from the seizure list as well as FIR that recovery was made from the shop and house of the petitioners and nobody came forward to witness the seizure list and on such the police officials put their signature.

Taking into consideration the facts that recovery was made from the shop and hosue of petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

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