

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36645 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- CHHAURADANO District- East
Champaran

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Suresh Sah, Son of Late Gorakh Sah Resident of Village - Kudarkat, P.S.-
Chhauradano, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Chhauradano P.S. Case No.66 of 2019 for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

The allegation against the petitioner is that the police
raided the house of one Surendra Rai which was taken on rent
by the petitioner and recovered total 94.5 litres of illicit liquor.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent and has falsely been
implicated in this case. Learned counsel further submits that the
liquor has not been recovered from the conscious possession of



the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the illicit liquor has been recovered from the house which was taken on rent by the petitioner and the petitioner was occupier of the house, accordingly, in view of Full Bench judgment passed in **Cr. Appeal (SJ) No.431 of 2019**, I am not inclined to exercise my discretion under Section 438 of Cr.P.C. As such the present anticipatory bail application is hereby rejected.

(Anil Kumar Sinha, J)

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