

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44360 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- BISFI (PATAUNA) District- Madhubani

ADHIK PASWAN Son of late Singheshwer Paswan Resident of Village-
Radhepura, P.S-Patauna, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-07-2019 The petitioner apprehends his arrest in connection with Bisfi (Patauna) P.S.Case No. 85 of 2019 registered under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred to as the 'Act').

Allegation against the petitioner, as per FIR, is that the police raided the house of the petitioner and recovered a total quantity of 4.800 litres illicit Nepali Saufi liquor.

Learned counsel for the petitioner submits that petitioner is innocent inasmuch as his son was arrested earlier by the police along with illicit liquor, who has disclosed the name of this petitioner that his father was also involved in trade of illicit liquor, accordingly, the police raided the house of the petitioner in which all family members resides including his son. Learned



counsel, thus, submits that only four litres of illicit liquor has been recovered in the joint property of the petitioner, therefore, petitioner deserves privilege of anticipatory bail.

After having heard learned counsel for the parties and taking into consideration the fact that recovery of illicit liquor has been made from the house of the petitioner and his son has disclosed the name of this petitioner that he is also involved in trade of liquor and from perusal of FIR a *prima facie* case under the Act is made out against the petitioner. Therefore, in view of the Full Bench judgment passed in Cr. Appeal (SJ) No. 431 of 2019, I am not inclined to exercise my discretion for grant of privilege of anticipatory bail to the petitioner as such the same is rejected.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

