

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40645 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- BARHARIA District- Siwan

Hareram Yadav Son of Late Jaiut Yadav, Resident of Village - Siyadi Karn,
P.S.- Badahariya, Dist.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-07-2019 Heard both sides.

The petitioner apprehends his arrest in Badahariya P.S. Case No.129 of 2019 registered under Sections 272, 273, 308 of the Indian Penal Code and under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

The police got information that the petitioner was selling illicit liquor from his cattle shed and on such information, raid was conducted. Seeing the police, the petitioner managed to flee away but about 111 litre of liquor was recovered from the cattle shed of the petitioner.

Submission of learned counsel for the petitioner is that no recovery was made from conscious possession of the petitioner. The cattle shed is an open place but from perusal of seizure list, it appears that the cattle shed was constructed with



bricks and inside the cattle shed, about 111 litre liquor of different brands was recovered.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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