

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48768 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- NAANPUR District- Sitamarhi

Sikindar Das @ Sokindar Das @ Hari Das Son of Moti Das Resident of
Village - Budhnagra, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Nanpur P.S. Case No.134 of 2019 for the offence punishable
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner, as mentioned in
the FIR is that the house of the petitioner was searched by the
police and recovered 92.162 litres country-made liquor.

Learned counsel, Ms. Madhubala Verma, submits that
petitioner is innocent and has falsely been implicated in this
case inasmuch the house belongs to the joint family and is not
completely owned by the petitioner. Learned counsel further
submits that the petitioner has got no criminal antecedent.



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 liquor has been recovered from the house of the petitioner, 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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