

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48412 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- KOTWA District- East Champaran

1. RAMNATH YADAV @ RAMNATH RAI, aged about 22 years, Male, Son of Dineshar Rai @ Dineshwar Ray, Resident of Village- Kalyanpur Brit, P.S.- Kotwa, District- East Champaran.
2. Subhash Rai @ Subhash Yadav, aged about 42 years, Male, Son of Dineshar Rai @ Dineshwar Ray, Resident of Village- Kalyanpur Brit, P.S.- Kotwa, District- East Champaran.
3. Shankar Rai @ Shankar Yadav, aged about 36 years, Male, Son of Dineshar Rai @ Dineshwar Ray, Resident of Village- Kalyanpur Brit, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-10-2019 Learned counsel for the petitioners submits that petitioners no.2 and 3, namely, Subhash Rai @ Shubhash Yadav and Shankar Rai @ Shankar Yadav have already been arrested.

Accordingly, the anticipatory bail petition on behalf of petitioners no.2 and 3, namely, Subhash Rai @ Shubhash Yadav and Shankar Rai @ Shankar Yadav is dismissed as having become infructuous.

Heard learned counsel for the petitioner no.1, Ramnath Yadav @ Ramnath Rai and the learned Additional Public Prosecutor for the State.



The petitioner no.1 apprehends his arrest in Kotwa P.S. Case No.79 of 2019, registered under Sections 30(a), 35 and 38 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that 92.200 litres of country made liquor is said to have been recovered from the maize field of Subhash Rai and when the police went there, the informant saw the petitioner and others fleeing away from maize field. It is submitted that nothing has been recovered from the possession of the petitioner but it appears that when the informant and Chowkidar went near the maize field, the petitioner and two others were found fleeing away and huge quantity of country made liquor was recovered from the maize field.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no.1 on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.1 is rejected.

(Prabhat Kumar Jha, J)

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