

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48903 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- MAJHAULIA District- West Champaran

RAJESH SAH Son of Dashrath Sah Resident of Village - Amawa Bazar, P.S.-
Majhaulia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-08-2019 Heard both sides.

The petitioner apprehends his arrest in Majhaulia P.S.
case No. 95 of 2019 registered under Section 30(a), 37(c) of the
Bihar Prohibition & Excise Act.

The S.H.O., Majhaulia got information of keeping
liquor at different places and also got information that petitioner
had kept wine in the dicky of his motor cycle parked in front of
his shop. On such, a raid was conducted and from the motor
cycle parked in front of the shop of petitioner three bottles each
containing 750 ml Kings Gold whiskey were recovered.

The learned counsel for the petitioner submits that
petitioner was busy inside his shop and petitioner had no
knowledge about the liquor kept in a bag on the motor cycle
parked in front of shop of the petitioner and for such recovery



petitioner is not responsible. If the petitioner was knowing about the liquor he would have kept the same concealed inside the shop or anywhere else but it appears that informant has got definite information that on the motor cycle parked in front of shop of the petitioner, the petitioner had kept liquor and on such three bottles of whiskey were recovered.

Taking into consideration 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 by this order.

(Prabhat Kumar Jha, J)

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