

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50810 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- RAHIKA District- Madhubani

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Jagdeo Mukhiya, Aged about 32 years, Male, Son of Bindeshwar Mukhiya,
Resident of Village Jagatpur Barihiya Tol Kamasthan, P.S. Rahika, District
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-08-2019 Heard Mr. Gagan Deo Yadav, the learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor.

Petitioner apprehends his arrest in Rahika P.S. Case
No.67 of 2019, registered under Sections 272 and 273 of the
Indian Penal Code as well as under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant, ASI of Rahika PS, alleged that he got
secret inputs that the petitioner was illegally indulged in selling
illicit liquor from his house and on such a raid was conducted.
On raid, from half constructed house situated behind the house
of the petitioner, about 98 litres of Nepali liquor was recovered.

Learned counsel for the petitioner submits that the



house is half constructed. No member of the family was residing in the house. Anybody can keep the liquor in the half constructed building of the petitioner but it appears that the half constructed building is situated by the side of the house of the petitioner and the same also belongs to the petitioner.

Taking into consideration the fact that the recovery was made from the half constructed house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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