

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50274 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- GOH District- Aurangabad

VIJAY YADAV Son of Sita Ram Yadav Resident of Village - Tulsi Bigha,
P.S.- Goh, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-08-2019 Heard both sides.

The petitioner apprehends his arrest in Goh P.S. Case No.98 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act.

The informant, A.S.I. of Goh P.S. disclosed that he got information that Vijay Yadav(the petitioner), son of Late Sitaram Yadav and Mithlesh Yadav @ Kallu Yadav, son of Jayu Yadav had kept concealed the liquor in their houses situated in Tulsibigha. On such, a raid was conducted but seeing the police vehicle, two persons fled away towards east. On search from the husk house of the petitioner, 240 bottles each containing 180 ml. of Royalstag, 138 bottles each containing 375 ml. of Royalstag, 154 bottles each containing 750 ml. of Royalstag, 192 bottles each containing 180 ml. of Episode whiskey, 48 bottles each



containing of 750 ml. Episode whiskey and 48 bottles each containing 180 ml. of Goa Whiskey were recovered. Similarly from the house of Mithlesh Yadav @ Kallu Yadav, different brands of Whiskey were recovered.

The learned counsel for the petitioner submits that house belongs to the joint family and petitioner and other members of joint family are also residing in the same house. The petitioner is not solely responsible for recovery of huge quantity of liquor from the house but the police made only the petitioner accused in the case.

It appears from perusal of the F.I.R. itself that the informant got secret information about the activities of the petitioner that he had kept huge quantity of different brands of liquor in his house and on such raid was conducted, therefore, the petitioner do not deserve anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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