

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50828 of 2019

Arising Out of PS. Case No.-232 Year-2019 Thana- SIRDALA District- Nawada

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1. VINOD KUMAR @ BINOD KUMAR Son of Balak Prasad
 2. Vickky Prasad @ Bipin Kumar Son of Saryu Prasad
Both resident of Village- Nawabganj, P.S.- Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lilawati Singh

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-08-2019 Heard both sides.

The petitioners apprehend their arrest in Sirdalla P.S.
Case No.232 of 2019 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The police got information that the petitioner had kept
concealed liquor under the straw-heap situated near the house of
the petitioner. On such a raid was conducted. 55 liters of country
made liquor made of Mahua and motorcycle were recovered
from the Khalihan of Balak Prasad.

The learned counsel for the petitioners submits that
nothing has been recovered from the possession of the
petitioners. From perusal of the seizure list, it appears that
recovery was made from Khalihan situated near the house of



Balak Prasad, therefore, the recovery cannot be said to have been made from the house or any place near the house of the petitioner but it appears from perusal of F.I.R. itself that Balak Prasad is the father of petitioner No.1 and Khalihan is situated near the house of the petitioner. According to the inputs received by the informant, the raid was conducted and the inputs come true and accordingly, seizure of 55 liters of country made liquor was made along with motorcycle kept thereon.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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