

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50262 of 2019**

Arising Out of PS. Case No.-433 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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BADHAN MANJHI, Aged about 26 years, Male, Son of Late Mulchand Manjhi, Resident of Village Karmanchak, P.S. Mufasil, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 13-08-2019 Heard both sides.

Petitioner apprehends his arrest in Excise Case No.433 of 2019, registered under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

The excise official raided the house of the petitioner and recovered 5 litres country made wine made of Mahua and 225 Kgs. Jawa Mahua in 15 jerry can from premises of the house of the petitioner.

Learned counsel for the petitioner submits that the recovery was made from outside the house of the petitioner and the same cannot be said to be recovered from the conscious possession of the petitioner but the prosecution report itself shows that 15 jerry can containing 225 Kgs. Jawa Mahua meant



for preparing country made liquor from Mahua and 5 litres Mahua liquor were recovered from the premises of the house of the petitioner.

Taking into consideration the facts aforesaid, 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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