

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55003 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

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BABLU RAI Son of Jinis Rai Resident of Village - Kauriya Tola, P.S.-
Runnisaidpur, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-08-2019 The petitioner apprehends his arrest in connection with

Runnisaidpur P.S.Case No. 187 of 2019 registered under

Sections 30(a)(g) and 38(i)(ii) of the Bihar Prohibition and

Excise Act (hereinafter referred to as the 'Act').

Allegation against the petitioner is that police raided the

house of the petitioner and recovered a total quantity of 9 litres

of illicit liquor from his house.

Learned counsel for the petitioner submits that petitioner

has falsely been implicated in this case inasmuch as the house

from where police has allegedly recovered the illicit liquor does

not belong to the petitioner and referring to seizure list, he

submits that seizure was not prepared in accordance with

provision of Sec.100(4)Cr.P.C. inasmuch as no local witness of

the village was made as seizure list witness. Accordingly, learned



counsel submits that seizure list itself is bad in law.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has been recovered from the house of the petitioner, therefore, in view of the Full Bench judgment passed in Cr. Appeal (SJ) No. 431 of 2019, I am not inclined to exercise my discretion for grant of privilege of anticipatory bail to the petitioner as such the same is rejected.

(Anil Kumar Sinha, J)

sujit/-

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