

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63096 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- DESARI District- Vaishali

TOKHAN RAY, S/o Late Baleshwar Rai R/o village- Rampur Khairi, P.S.-
Desari Sahdei O.P), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-10-2019 Heard leaned counsel for the petitioner and the
leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Desari (Sahdei O.P) P.S. Case No. 163 of 2019, registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2018, pending in the court of the Addl. Sessions Judge-II-cum-Excise, Vaishali at Hajipur.

The accusation is of recovery of 23 cartons, each containing 48 bottles of 180 ML and two cartons, each containing 12 bottles of 750 ML Indian made foreign liquor recovered from the house of petitioner, while petitioner succeeded to flee away.

Learned counsel appearing on behalf of petitioner submits that the alleged recovery of Indian made foreign liquor



has been made from the joint house of the petitioner. Moreover, at the time of search on the seizure list, no family member of the petitioner has put their signature as witness of search and seizure.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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