

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58537 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Jitendra Kumar @ Jitendra Kumar Nishad, aged about 27 years, Male, Son of
Ram Naresh Gupta @ Ram Naresh Prasad, Resident of Village Din Dayalpur,
P.S.- G.B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-09-2019 Heard both sides.

The petitioner apprehends his arrest in G.B. Nagar
P.S. Case No.207 of 2019, registered under Sections 30(D), 34,
36, 38 and 41(1) of the Bihar Prohibition and Excise Act.

The police got information about the fact that the
petitioner was manufacturing liquor on the bank of a pond and
the petitioner was also fishing in the pond. On such information,
the police went there but the petitioner after seeing the police
fled away. 15 litres of country made liquor was recovered from
a boat besides gas cylinder and other articles meant for
preparing country made liquor.

Learned counsel for the petitioner submits that the
petitioner was not apprehended on the spot. Nobody saw the



petitioner fleeing away. Neither Chowkidar nor any villager disclosed about the petitioner but it appears from perusal of the FIR itself that the informant himself identified the petitioner while he was fleeing away and from the boat said to have been owned by the petitioner for fishing, 15 litres country made liquor was recovered.

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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