

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60058 of 2019**

Arising Out of PS. Case No.-160 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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VIJAY MAHTO S/O Paltu Mahto Resident of Ward No. 9 Tole Mathurapur,
Rampur Kusahia, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mr.Abhay Kumar

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

2 14-10-2019 Heard both sides.

The petitioner apprehends his arrest in Excise case
No. 160 of 2019 registered under Section 30(a) of the Bihar
Prohibition & Excise Act.

On secret information, the excise officials raided the
house of petitioner and about 13 liters of Indian made foreign
liquor was recovered.

The learned counsel for the petitioner submits that
recovery was made from outside the house of petitioner and the
same cannot be said to be recovered from the conscious
possession of the petitioner but the prosecution report itself
shows that recovery was made just behind the house of
petitioner which is situated inside 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 same is rejected.

(Prabhat Kumar Jha, J)

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