

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68092 of 2019

Arising Out of PS. Case No.-255 Year-2019 Thana- JOGAPATTI District- West Champaran

AJAY MAHATO S/o Raghunath Mahto R/o village- Patkhauli, P.S.- Jogapatti
(Sanichari), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-11-2019 Heard both sides.

The petitioner apprehends his arrest in
Yogapatti(Sanichari) P.S. Case No.255 of 2019 registered under
Section 30(a) of Bihar Prohibition and Excise Act.

The informant disclosed in his written report that he
got secret information that Santosh Ram, Rudal Ram, Majid
Alam and Ajay Mahato(the petitioner) illegally used to sell
liquor and on such, raid was conducted. Santosh Ram was found
selling liquor in front of his house and from his house liquor
was recovered. When the raid was conducted in the house of the
petitioner(Ajay Mahato), situated in village Patkhauli, he was
found selling liquor nearby his house and he fled away after
seeing the police. 6 liters of country made liquor was recovered
by the side of the house of the petitioner.



The learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner. The recovery was made from the outside of the house of the petitioner but it appears that recovery was made by the side of the house of the petitioner and when the petitioner saw the police, he managed to flee away. 6 liters of country made liquor was recovered by the side 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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