

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65345 of 2019

Arising Out of PS. Case No.-287 Year-2019 Thana- PIPRA District- East Champaran

RAJESH KUMAR S/o Ganga Sah R/o village- Pipra Bajar, P.S.- Pipra,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-11-2019 The petitioner apprehends his arrest in connection with Pipra P.S.Case No. 287 of 2019 registered under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner, as per FIR, is that the police raided the house of the petitioner and recovered a total quantity of 10.8 litres illicit liquor from there and 1.26 litres recovered from behind the house of the petitioner.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case with an oblique motive and the recovery of illicit liquor was made from the road side.

Having regard to the submissions made by the parties and taking into consideration the fact that from perusal of FIR and



seizure list, it appears that illicit liquor has been recovered from the house of the petitioner as such a *prima facie* case under the Excise Act is made out against 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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