

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71367 of 2019

Arising Out of PS. Case No.-176 Year-2019 Thana- UJIYARPUR District- Samastipur

BAM BAM KUMAR JHA @ BAM BAM JHA Son of Babu Prasad Jha
Resident of Village-Shekhpora, P.S.-Ujiarpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1

For the Opposite Party/s : Ms. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Ujiarpur P.S. Case No.176 of 2019 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Amendment Act, 2016.

3.750 litres of foreign liquor is said to have been recovered from the veranda of the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized liquor. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping the aforesaid liquor there by someone.



On the other hand, learned APP for the State opposing the bail petition submitted that as there is recovery of liquor from the house of the petitioner, he does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Prakash Chandra Jaiswal, J)

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