

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72972 of 2019

Arising Out of PS. Case No.-256 Year-2019 Thana- HUSSAINGANJ District- Siwan

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Ramnath Chauhan @ Ramnath Singh, Son of Late Bengali Choudhary
Resident of Village-Jurkan, P.S.-Hussainganj, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Hussainganj P.S. Case No.256 of 2019, for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation against the petitioner is that a total
quantity of 45 litres of illicit liquor has been recovered from the
house of the petitioner kept in a room made by Asbestos.

Learned counsel appearing for the petitioner submits
that the petitioner has not committed any offence in the manner
alleged and the petitioner has got no criminal antecedent and
illicit liquor has been recovered from the Asbestos situated in
front of the house of the petitioner and not from the conscious



possession of the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that as per the FIR and the seizure list, it is evident that illicit liquor has been recovered from the room of the petitioner, I am not inclined to grant anticipatory bail to the petitioner in view of Full Bench judgment passed in **Cr. Appeal (SJ) No.431 of 2019**. As such the present anticipatory bail application is hereby rejected.

However, if the petitioner surrenders before the Court below and prefer an application for regular bail within a period of fifteen days from today, the learned Court below shall consider his application for regular bail on its own merit without being prejudiced that the present application has been rejected by this Court.

(Anil Kumar Sinha, J)

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