

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74921 of 2019

Arising Out of PS. Case No.-815 Year-2019 Thana- FORBESGANJ District- Araria

Madan Kumar @ Madan Yadav, S/o Yugeswar Yadav Resident of Village-
Aaurahi Purab (Aaurahi East), ward No.4, P.S.- Forbesganj (Simraha),
District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Special Case No.1095 of 2019 arising out of Forbesganj P.S.
Case No.815 of 2019, registered for the offences punishable
under Sections 341, 323, 353, 188, 332, 224, 225, 228, 504/34
of the Indian Penal Code and Section 44, 53, 30(a), 38(1) of the
Bihar Prohibition and Excise Act.

The allegation against the petitioner is that police
upon secret information raided the house of the petitioner and
recovered a total quantity of 5.4 litres of illicit foreign liquor
and ten bottles of Eskuf cough syrup containing codeine which
is prohibited under the law.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch the house is joint family house and the petitioner along with others reside in the house jointly.

On the other hand, learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that illicit liquor as well as prohibited drug has been recovered from the house of the petitioner and the petitioner does not deserve the privilege of anticipatory bail.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the fact that illicit liquor and the prohibited drug has been recovered from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner and the prayer for the same is hereby rejected.

(Anil Kumar Sinha, J)

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