

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73975 of 2019

Arising Out of PS. Case No.-391 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

RAJ KUMAR SAH Son of Late Chandrika Sah Resident of Village-Sada
Mathiya, P.S-Muffasil Chapra, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-11-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Muffasil Chapra P.S. Case No. 391 of 2019 for the offence registered under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

The allegation is regarding recovery of 18.255 litres of illicit liquor from the house of the petitioner.

The learned counsel for the petitioner submits that the petitioner was not present in the house at the time, the recovery of illicit liquor was made, hence he cannot be held liable for the alleged incident. The petitioner is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the



case, although this Court is not inclined to grant anticipatory bail to the petitioner, above named, on account of recovery of the illicit liquor from the house of the petitioner, ownership whereof is not denied by the petitioner, nonetheless, it is directed that the petitioner shall surrender before the learned court below within a period of four weeks from today in connection with Muffasil Chapra P.S. Case No. 391 of 2019 whereupon his application for grant of regular bail shall be heard and decided on the same day sympathetically considering the fact that the petitioner was not in the house at the time of recovery of illicit liquor as also the fact that he is having a clean antecedent.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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