

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82248 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- KEWATI District- Darbhanga

RAM DAYAL YADAV Son of Late Nathuni Yadav Resident of Village -
Dahipura, P.S.- Keoti, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

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

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with G.O. Case No. 938 of 2019 arising out of Keoti P.S. Case
No. 136 of 2019, registered for the offence punishable under
Section 30 (a) of Bihar Prohibition and Excise Act.

As per allegation on raid being conducted, 7.92 litres
of IMFL was seized from the house of the petitioner, however,
the petitioner managed to escape from the scene.

It is submitted by learned counsel for the petitioner
that contrary to the allegations nothing has been recovered from
the possession of the petitioner. He lives in a joint family house
and has no concern with the seized liquor. It is further submitted



that seizure list is in total violation of Section 100 of Cr. P.C..

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the application for bail has rightly been rejected by the learned Incharge Special Judge (Excise), Darbhanga as the same is not maintainable. Accordingly, the application of anticipatory bail of the petitioner is rejected.

The petitioner is directed to surrender in the Court below within six weeks from today and in the event he surrender within the aforesaid period and prays for regular bail, the same shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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