

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13487 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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SAROJ SAH S/O Late Munna Sah Resident of Village - Gaulakshni
(Ramawalpur), P.S. - Bhagwanpur, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Nath Singh Yadav, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 21-10-2020 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner has filed the instant application for grant
of anticipatory bail in connection with Bhagwanpur P.S. Case
no. 9 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted, it
is stated that while the petitioner managed to escape, elder
brother of his father was caught in an intoxicated state. It is
further stated that on a search being conducted about 5 litres of
liquor was recovered from the house of the petitioner and a
seizure list was prepared.

It is submitted by learned counsel for the petitioner that it
was his uncle who was caught in a drunken condition. He
neither has a shop nor is he involved in sale of liquor. He is a
student having no criminal antecedent and thus he be enlarged
on bail. It is further submitted that his uncle has already been
enlarged on bail.



Learned APP for the State has opposed the application for bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the seizure list from which it transpires that five litres of liquor has been recovered from inside the house of the petitioner, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such his application is rejected.

(Partha Sarthy, J)

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