

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14535 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- UCHKAGAON District- Gopalganj

KANHAIYA BIN @ BUTAN Son of Mahangu Bin Resident of Village-
Tulasiya, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjya Kumar Chaubey

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Uchkagaon
P.S. Case No.17 of 2020 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

2.340 litres of liquor was recovered from the house of
the petitioner but the petitioner managed to flee away.

The learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of
the petitioner. The house is joint family house but it appears that
it was petitioner who had kept the liquor in his house and on
such information, raid was conducted. 2.340 litres of liquor was
recovered.

Taking into consideration the facts aforesaid, I am not
inclined to enlarge the petitioner on anticipatory bail.



Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned court below shall consider the prayer for regular bail of the petitioner taking into consideration the fact that meagre amount of liquor is recovered from the house of the petitioner and dispose of the regular bail petition of the petitioner preferably on the same day, if possible.

(Prabhat Kumar Jha, J)

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