

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14414 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- GAYA KOTWALI District- Gaya

VIKASH KUMAR S/o Raghuni Paswan @ Munshi @ Munshi Paswan,
Resident of Village-Murli Pahari Bairagi, P.S.- Kotwali, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-08-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Kotwali P.S.
Case No.17 of 2020 registered under Sections 30(a) and 37(2)
of the Bihar Prohibition and Excise Act.

Four persons were apprehended in inebriated
condition and they disclosed that they purchased liquor from the
house of the petitioner. On such, a raid was conducted and 30
litres of liquor was recovered from the house of the petitioner.
The other houses were also searched and recovery was made.

Learned counsel for the petitioner submits that the
petitioner is residing in the house and for that only, it cannot be
said that the petitioner was selling liquor, but it appears that
from the house of the petitioner 30 litres of liquor was
recovered. The persons, who were apprehended in inebriated



condition, disclosed that it was petitioner, who sold liquor to them and they had consumed liquor in the house of the petitioner.

Having considered 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, the learned court below shall consider the regular bail of the petitioner and dispose of the same, if possible, preferably on the same day.

(Prabhat Kumar Jha, J)

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