

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28888 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- PARSA District- Saran

Sikandar Rai , aged about 25 years, son of Nand Kishore Rai @ Bhera Rai,
sex- male, resident of Village- Pojhi, P.S.- Derni, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard Mr. Sanjay Kumar, learned counsel for the
petitioner and Mr. Ashok Kumar Singh No. 1, learned counsel
for the State through video conferencing.

Petitioner apprehends arrest in connection with Parsa
P.S. Case No. 64 of 2020 registered for the offence under
Section 414 / 34 of the IPC and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the Police
recovered a total quantity of 160.50 liters of illicit foreign liquor
from the rented house of this petitioner.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as
no illicit liquor has been recovered from his conscious
possession or the premises belonging to him. Learned counsel



further submits that there is no material to show that the house in question from where illicit liquor has been recovered was let out in favour of the petitioner.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the seizure list from where it appears that illicit liquor has been recovered from the rented house of the petitioner, in view of the Full Bench judgment of this court passed in Cr. Appeal (SJ) No. 431 of 2019 Ram Vinay Yadav vs. The State of Bihar, I am not inclined to exercise my discretion to grant anticipatory bail to the petitioner.

Accordingly, the same is rejected.

(Anil Kumar Sinha, J)

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