

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29857 of 2020

Arising Out of PS. Case No.-25 Year-2020 Thana- MADHWAPUR District- Madhubani

1. JITENDRA RAM @ DOMA RAM Son of Vinde Ram Resident of Village- Hanuman Nagar, Police Station- Madhwapur in the district Madhubani.
2. Bikaru Ram Son of Jivachh Ram Resident of Village- Hanuman Nagar, Police Station- Madhwapur in the district- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-12-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition with regard to petitioner no. 1.

Prayer is allowed. The anticipatory bail petition with regard to petitioner no. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner apprehends his arrest in Madhwapur P.S. Case No. 25 of 2020, registered for the offence punishable



under Sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

42 litres of Nepali Saufi wine has been recovered from the hut of petitioner no. 2.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner has no concern with the seized liquor. Petitioner has got clean antecedent, as stated in para 3 of the petition.

Counsel for the State vehemently opposed the prayer for bail and submitted that recovery has been made from the house of this petitioner.

Considering the fact that recovery has been made from the house of petitioner no. 2, I am not inclined to enlarge Bikaru Ram petitioner no. 2 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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