

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34946 of 2020

Arising Out of PS. Case No.-259 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Nawal Sahni @ Nawal Kishore Sahni @ Naval Kishore Chaudhary @ Naval
Sahni S/o Late Amiri Sahni R/o Madhopur Chhatauna, P.S.- Mufassil,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-03-2021 Heard both sides.

The petitioner apprehends his arrest in Samastipur
Mufasil P.S. Case No.259 of 2020 registered under Section
30(a) of Bihar Prohibition and Excise Act.

The informant after having received information
about the sell of illegal liquor from under constructed house of
Nawal Sahni @ Nawal Kishore Chaudhary, raided the house and
recovered 31 bottles each containing 375 ml. and 10 bottles
each containing 330 ml. of beer kept in a cartoon. The liquor
was recovered from the house of the petitioner.

The learned counsel for the petitioner submits that
from perusal of the F.I.R. itself, it would appear that house was
under construction and there was no door. There was free access



to all and, therefore, for the recovery of wine, the petitioner cannot be held responsible but I find that the informant got specific inputs about the illegal sell of liquor by the petitioner who had kept the liquor in his under constructed house and from there the 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.

(Prabhat Kumar Jha, J)

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