

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.873 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- RAJEPUR District- East Champaran

Surendra Rai Son of Late Ramkalewar Rai, Resident of Village - Hanuman
Nagar Chakki, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-03-2021 Heard both sides.

The petitioner apprehends his arrest in Rajepur P.S.
Case No.121 of 2020 registered under Sections 272, 273 of the
Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant (S.H.O. of Rajepur P.S.) alleged that
after having received secret information that Ashok Rai and
Surendra Rai (petitioner) kept foreign liquor in their house, the
police raided the house of the accused persons. 162 litres of
Indian made foreign liquor was recovered from the house of
Ashok Rai and about 83 litres of Indian made foreign liquor was
recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the
recovery of Indian made foreign liquor was made from a joint



house and the petitioner is not solely responsible for the same.
The petitioner was not apprehended on the spot and nothing is said to have been recovered from conscious possession of the petitioner but it appears from perusal of the F.I.R. itself that about 83 litres of Indian made foreign liquor was recovered from 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.

(Prabhat Kumar Jha, J)

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