

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.2716 of 2021**

Arising Out of PS. Case No.-80 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

RAKESH KUMAR @ RAKESH SAH, S/o Sita Ram Sah R/o village-  
Mustafapur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Chandra Shekhar Anand  
For the Opposite Party/s : Mr. Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR  
ORAL ORDER**

2      20-07-2021                      Heard the learned counsel for the petitioner and  
  
the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Ahiyapur P. S. Case No. 80 of  
2020, dated 23.01.2020 instituted for the offences  
under Sections 272 and 273 of the Indian Penal Code  
and Sections 30 (a) and 36 of the Bihar Prohibition and  
Excise Act.

The learned counsel for the petitioner has  
submitted that there is an accusation against him that  
six (6) litres of liquor has been recovered from his  
house.



The learned counsel for the petitioner further submits that the house from which the recovery has been made does not belong to him.

This bald statement does not convince this Court for granting anticipatory bail to the petitioner.

Regard being had to the fact that six (6) litres of liquor is said to have recovered from the house belonging to the petitioner, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, that shall be considered on its own merits, without being prejudiced by the fact that the present petition on his behalf has not been entertained by this Court.

**(Ashutosh Kumar, J)**

skm/-

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