

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19127 of 2021

Arising Out of PS. Case No.-606 Year-2020 Thana- MAHUA District- Vaishali

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1. Ramdan Rai @ Ramdaun Rai Son of Late Binda Rai Resident of Village - Ram Rai Mahua, P.S.- Mahua, Dist.- Vaishali.
 2. Vikash Kumar Son of Ramdan Rai @ Ramdaun Rai Resident of Village - Ram Rai Mahua, P.S.- Mahua, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under



Sections 30(a), 32(ii), 34(ii), 38(ii), 41(i) of the Bihar Prohibition & Excise Act.

There is recovery of 61.560 litres of Indian made foreign liquor from the house of the petitioners.

It is submitted by learned counsel for the petitioners that the recovery has been made from the joint family house. Moreover, recovery has been made from the joint family house but the informant has not taken signature of any family member on the seizure list. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that illicit liquor has been recovered from the house of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

However, if the petitioners surrender within a period of four weeks from today and pray for regular bail, the same may be considered by the learned Court below, keeping in view the fact that recovery has been made from joint family house and signature has not



been taken from any family member on the seizure list.

With the aforesaid observation/direction, the
petition stands disposed off.

(Sunil Kumar Panwar, J)

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