

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1020 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- DUMRA District- Sitamarhi

MANISH RAI @ MANISH KUMAR S/o- Ram Bharos Rai @ Ram Bharosi Ray @ Bharosi Ray R/o Village- Bhauv Prasad @ Bhau Prasad, P.S.- Dumra, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mrs.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

16.140 liters of illicit wine has been recovered from the house of the petitioner.

It is submitted that nothing has been recovered from the conscious possession of the petitioner. Recovery has been made from the house, which is in joint possession of the family.

However, learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail and submitted that petitioner has got one criminal antecedent of similar nature and



recovery has been made from the house of the petitioner and as such, the petition is not maintainable under Section 76(2) of the Bihar Prohibition and Excise Act.

Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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