

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40386 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- RAHIKA District- Madhubani

Manish Kumar Yadav Son of Tej Narayan Yadav @ Teju Yadav Resident of
Village - Nazirpur ward no. 10, P.S.- Rahika, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Rahika P.S. Case No. 37 of 2024, registered on 09.03.2024 for the offences under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioner and his father selling illicit liquor from their house. A raid was conducted on the house of the petitioner and two persons fled away from the spot who are identified as the petitioner and his father Tej Narayan Yadav. From the asbestos made house, recovery of 9 litres of India made foreign liquor was made.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Except for suspicion there is nothing against the petitioner. The recovery has not been made from the house but has been made from a Gumti which is operated by co-accused father of the petitioner. The petitioner is having criminal antecedent of two cases of similar nature but he is on bail in one such case.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the Gumti, from which recovery has been shown, was kept in the house of the petitioner and he is having criminal antecedent of two cases of similar nature.

6. Considering the facts and circumstances of the case, I am unable to convince myself that no prima facie case is made out against the petitioner. Therefore, I am not inclined to enlarge the petitioner on anticipatory bail and hence, his prayer for anticipatory bail is rejected.

(Arun Kumar Jha, J)

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