

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44232 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- MAJHAULIA District- West Champaran

Sanjay Sah @ Sanjay Kumar Son Of Shambhu Sah @ Shambhu Prasad Resi-
dent Of Village - Mahanwa, Dumari, P.S. - Majhaulia, District - West Cham-
paran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Majhauliya P.S. Case No. 208 of 2024 dated 23.03.2024 instituted
for the offence punishable under Sections 272, 273/34 of the In-
dian Penal Code and Section 30(a) of Bihar Prohibition and Excise
Act.

3. Allegation is of recovery of total 45.78 litres illicit
liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the seizure list was prepared on
23.03.2024 at 11.00 hours and the F.I.R. has been lodged on the
same day at 13.30 hrs. Learned counsel for the petitioner submits



that the petitioner has not been arrested at the spot. The petitioner has been made accused in this case only on the basis of disclosure made by chowkidar. Learned counsel for the petitioner submits that the aforesaid liquor has been recovered from the house which is joint property. The petitioner is not the sole owner of the said house because the said house is ancestral property. Learned counsel for the petitioner further submits that there is no independent witness of the seizure list. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner stating that the illicit liquor has been recovered from the house of the petitioner.

6. Since the said illicit liquor has been recovered from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Khatim Reza, J)

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