

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32237 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- MADHEPUR District- Madhubani

Rajesh Dhankar @ Raja @ Rajesh Dhanikar S/o Ram Prasad Dhanikar R/o
village - Nawada Dhankar Tol, P.S.- Madhepur, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 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 Madhepur P.S. Case No. 40 of 2025 registered for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information being received that the petitioner has been selling illicit liquor from his house, a raid was conducted. One person started running away on seeing the police party. A chase was given but the said person made good his escape. A search was conducted in the brick and asbestos house of the said person, recovery of 48.03 litres of India made foreign liquor was made from the house. Several persons assembled there and the Mahal Chaukidar identified the escaped miscreant as this petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating has been recovered from the person of this petitioner. No recovery has been shown from the house of the petitioner. Even if the recovery is stated to be made from the house of the petitioner, it is a joint house and several relatives of the petitioner stayed there and for this reason, the petitioner cannot be fastened with the liability of recovery of illicit liquor. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the recovery has been shown from the house of the petitioner who fled away from the spot when raid was being conducted.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and recovery of illicit liquor from the house stated to be belonged to the petitioner, I am not inclined to grant anticipatory bail to the petitioner and hence, the prayer for anticipatory bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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