

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2994 of 2017**

Arising Out of PS.Case No. -65 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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1. Kunkun Singh, S/o - Ramanand Singh, Resident of Village - Sagha, P.S.  
- Gamharia, District – Madhepura .... Petitioner

Versus

1. The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Nafisuzzoha, Adv.

For the Opposite Party : Mr. Asharaf Ansari, APP 86

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL ORDER**

2      10-02-2017                      Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 272 and 273 of the Indian Penal Code and 47(A) of the Excise Act.

Seven hundred and seventy-five bottles of country made liquor was recovered from the house of this petitioner.

Submission of the petitioner is that the recovery was not from the conscious possession of the petitioner as the home is occupied by other family members also.

Considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is **rejected**.

However, in the event of surrender, the Court below shall consider the prayer for bail without being prejudiced of this order.

**(Birendra Kumar, J)**

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