

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79214 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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UPENDRA YADAV Son of Late Laxmi Yadav @ Lakshmi Yadav Resident of
Village-Bela Shankar, P.S.-L.N.M.U., District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 18-12-2019 Instant petition under Sections 439 and 440 of Criminal Procedure Code has been moved for grant of bail in F.I.R. No. 280 of 2019 dated 13.09.2019 registered at Police Station L.M.N.U. District-Darbhangha under Sections 272 and 273/34 of the Indian Penal Code, 30(a) of the Bihar Prohibition and Excise Act, 2016 and 20 and 22 of the Narcotic Drugs and Psychotropic Substance Act.

Petitioner is in custody since 13.09.2019.

The premises, jointly possessed by the petitioner, were raided from where 76 cartons i.e., 912 bottles, each containing 750 ml, 07 cartons i.e., 336 bottles of one each containing 180 ml, in total 744.48 litres of illicit foreign liquor as also 600 grams Ganja, recovered by the police on 13.09.2019.



Simply, the case of the petitioner is that he has got no criminal antecedent or that the house is jointly possessed, cannot be a reason sufficient enough to grant bail more so in view of the provisions of Bihar Prohibition and Excise Act, 2016. *Ex-facie*, it cannot be said that the petitioner was not involved in the crime.

As such, the prayer of bail of the petitioner stands rejected.

(Sanjay Karol, CJ)

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