

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16029 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- DERNI BAZAR District- Saran

Pankaj Kumar S/o Late Subhas Rai R/o village- Chhotka Baneya, P.S.- Derni,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-05-2020 Heard learned counsel for the petitioner and learned
counsel for the State via video conferencing.

The petitioner has filed the present application under Sections 439 and 440 of the Code of Criminal Procedure for grant of bail in connection with Derni P.S. Case No. 214 of 2019 registered under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submitted that neither any incriminating articles have been recovered from the possession of the petitioner nor he was present on the spot. The police on suspicion implicated him in this case in spite of the fact that the petitioner is a junior member of the family.

On the other hand, learned counsel appearing for the State submitted that it is a serious offence in which over 820



liters of Indian Made Foreign Liquor was recovered from the house of the petitioner from where he and his family members fled away on seeing the police party. He contended that consumption, manufacture, storage, trade, transportation and sale of liquor are prohibited in the State of Bihar under the Bihar Prohibition and Excise Act, 2016.

Considering the recovery of huge quantity of illicit Indian Made Foreign Liquor from the house of the petitioner, I am not inclined to grant him bail for the present. The prayer for grant of bail is rejected.

(Ashwani Kumar Singh, J)

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