

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19872 of 2020

Arising Out of PS Case No.-72 Year-2020 Thana- DAUDPUR District- Saran

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Suraj Kumar Sah, aged about 20 years (M), Son of Ramlal Sah, Resident of
Village- Inayatpur, P.S.- Daudpur, District- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate
For the State : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 02-07-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Yashraj Bardhan, learned counsel for the petitioner and Mr. Narsingh Tanti, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Daudpur PS Case No. 72 of 2020 dated 02.04.2020 instituted under Sections 272, 273, 290, 504/34 of the Indian Penal Code and 30(a), 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner is that he was selling liquor whereas against two other co-accused persons is that



they were in a drunken state and were creating ruckus. It is further alleged that 200 litres of countrymade liquor was found in the carton which the petitioner was selling.

5. Learned counsel for the petitioner submitted that he is in custody since 03.04.2020 and that he has nothing to do with the recovered liquor which does not belong to him.

6. Learned APP submitted that the petitioner was caught in the act of selling liquor and 200 litres of countrymade liquor was recovered from his possession and further, that he has been in custody only since 03.04.2020 and has three other criminal cases against him.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

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