

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5424 of 2020

Arising Out of PS. Case No.-238 Year-2016 Thana- HASANPUR District- Samastipur

Kishan Kumar Son of Mithilesh Yadav Resident of Village- Sirsiya, P.S.-
Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mrs.Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 02-03-2020 As prayed for, the petitioner is permitted to make

necessary correction in typed copy of the FIR in course of the

day.

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Hasanpur P.S. Case No.238 of 2016,
registered for the offence punishable under Section 47 (A) of
Bihar Excise Act and Section 54/57 of Bihar Prohibition &
Excise (Amendment) Act, 2016.

The police has recovered 73.44 liters of foreign liquor
from the motorcycle of the petitioner near the agricultural field
of co-accused, however, counsel for the petitioner submits that
nothing has been recovered from his conscious possession and



the said motorcycle was given to a merchant, but there is no such material to show that the said motorcycle was given to the said merchant.

Looking to the quantity of liquor recovered, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

V.K.Pandey/-

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