

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3483 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- RAHUI District- Nalanda

ANIL KUMAR SAHU @ KALLU KUMAR SAHU, Son of Lalu Sao,
Resident of Village- Manikbad, P.S.- Dewri, Distt- Giridih.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

Allegation against the petitioner is that during search liquor was found and accordingly seizure list was prepared.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. There is no recovery from the conscious possession of the petitioner.

Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

Having heard the parties and going through the



impugned order dated 03.10.2020 passed in A.BP. No. 1914/2020, it is evident that there is recovery of total 936.360 liters of foreign liquor from the Pick-up Van and the said vehicle belongs to the petitioner. The petitioner has also one criminal antecedent for the same offence.

In the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Rahui (Bhaganbaigha) P.S. Case No. 124/2020 from the Court of learned 3rd Additional District and Sessions Judge cum Special Judge (Excise), Nalanda at Biharsharif.

Accordingly, this application is dismissed.

However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the learned Court below, without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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