

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9788 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- BARHIYA District- Lakhisarai

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GOLU KUMAR @ GOLU SINGH @ ANURAG KUMAR Son of Ramjee
Singh Resident of Village - Khuthadih, P.S.- Barahiya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmod Kumar
For the Opposite Party/s : Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 30a of the Bihar
Prohibition and Excise Act.

As per the prosecution case, 58.05 liters foreign liquor
was recovered from the Bhuskar/straw hut of the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way
connected with the aforesaid recovery. The mandatory provision
of law for search and seizure given under section 100 Cr.P.C.
has not been followed. There is no independent witness of the



seizure list. Petitioner has got no criminal antecedent.

Learned counsel for the State submits that the recovery has been from the straw house of the petitioner.

Considering the allegation that recovery has been from the straw house of the petitioner, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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