

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15486 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- SONO District- Jamui

KISHUN KHAIRA SON OF RAMDHANI KHAIRA R/O VILLAGE-
GOBRA, P.S.- SONO, DISTRICT- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act and Sections 272/273 of the I.P.C.

10 liters country-made *Mahua* liquor has been recovered from the house of the petitioner.

It is submitted that nothing has been recovered from the conscious possession of the petitioner. Recovery has been made from the house, which is in joint possession and is in abandoned condition. There is no compliance of Section 100 Cr.P.C. with regard to search and seizure. Petitioner has got clean antecedent.

However, learned A.P.P. for the State vehemently



opposed the prayer for anticipatory bail and submitted that recovery has been made from the house of the petitioner.

Considering the fact that recovery has been made from the house of the petitioner, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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