

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14715 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- BARBIGHA District- Sheikhpura

Awadhesh Prasad S/o Late Ishwar Mahto Resident of Village- Akbarbigha,
P.S.- Barbigha, District- Shaikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Ms. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

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

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 3 liters of country made liquor and 100 liters of *Chhoa* has been recovered from the *Bhusa Ghar* of the petitioner. It is submitted that the petitioner is said to have fled away from the place of occurrence.

The learned APP for the State opposed the prayer for



anticipatory bail of the petitioner and submitted that the petitioner has got criminal antecedents of similar nature.

Taking into consideration the fact that illicit country made liquor and *Chhoa* has been recovered from the *Bhusa Ghar* of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with Barbigha P.S. Case No.28 of 2022, giving rise to Excise Case No.45 of 2022, pending in the court of learned 2nd Additional District & Sessions Judge, Sheikhpura.

(Anjani Kumar Sharan, J.)

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