

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19563 of 2022**

Arising Out of PS. Case No.-316 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Uday Kumar S/o Late Narayan Sah Resident of Village- Bhikhanpur, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh
For the Opposite Party/s : Mr.Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-07-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Excise Case
No. 316 of 2021, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

23.870 litres of illicit liquor has been recovered from
the courtyard of this petitioner.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Recovery has been made
from the house which is in joint possession of family. Petitioner
has got clean antecedent, as stated in para 3 of the petition.

Counsel for the State vehemently opposed the bail
application and submitted that recovery has been made from the



courtyard of the house of petitioner.

Considering the fact that recovery has been made from the courtyard of the house of petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected in view of the provision 76(2) of the Bihar Prohibition and Excise Act.

(Prabhat Kumar Singh, J)

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