

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20178 of 2022

Arising Out of PS. Case No.-340 Year-2021 Thana- BIBHUTIPUR District- Samastipur

1. Md. Sattar Son of Md. Safir Resident of village - Bibhutipur, P.S.-
Bibhutipur, District - Samastipur.
2. Md. Nasir Son of Late Karim Baks Resident of village - Bibhutipur, P.S.-
Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioners apprehend their arrest in Bibhutipur
P.S. Case No. 340 of 2021, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

90 litres of illicit liquor has been recovered from the
house of petitioners.

It is submitted that nothing has been recovered from
conscious possession of this petitioners. Recovery has been
made from the house which is in joint possession of family.
Petitioners have 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 house of petitioner.

Considering the nature of allegation and quantity of recovery, I am not inclined to enlarge the petitioners 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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