

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32898 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- KADIRGANJ District- Patna

Ashok Chaudhary S/o Punai Choudhary R/o village- Pakauda, P.S.-
Kadriganj, Biram, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kadirganj P.S. Case no. 89 of 2021 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 30 litres illicit country made liquor from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. It is further submitted that the petitioner has no concern with the alleged recover of illicit liquor. Neither the petitioner was



arrested on spot nor any incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the place of occurrence from where the illicit liquor has been recovered, belongs to the petitioner.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

