

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45827 of 2021

Arising Out of PS. Case No.-213 Year-2021 Thana- BIHPUR District- Bhagalpur

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PINTU @ PINTU KUMAR @ ASHISH KUMAR Son of Dinesh Yadav @
Dinesh Prasad Yadav Resident of Village - Mathurapur - Madhurapur, P.S.-
Bhawanipur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted, 12 litres of distilled liquor and 100 litres of semi prepared country made liquor along with other articles have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession or his house. He has been falsely implicated in the case. The house is a joint family property. The



allegations have been wrongly levelled against him. The place of recovery is an open area. He is in custody since 21.5.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of articles recovered including 12 litres of distilled liquor and 100 litres of semi prepared country made liquor from the house of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In view of the petitioner not having any criminal antecedent, liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody.

(Partha Sarthy, J)

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