

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40488 of 2022

Arising Out of PS. Case No.-122 Year-2021 Thana- CHHATAPUR District- Supaul

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UDIYA CHAND YADAV @ UDICHAND YADAV Son of Siyaram Yadav
Resident of village- Mirjava, P.S- Chatapur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivek Kumar

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-10-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

As per the prosecution case, 7500 ml Nepali Saufi Wine was recovered from the motorcycle of which petitioner is the registered owner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner has got no criminal antecedent.

Learned counsel for the State submits that there is



recovery of illicit liquor from the motorcycle of which petitioner is the registered owner as such he cannot escape the responsibility.

Considering the nature of the allegation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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