

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49135 of 2022

Arising Out of PS. Case No.-452 Year-2021 Thana- BARUN District- Aurangabad

Gurmit Singh Son of Nirmal Singh Resident of Village - House No.1080,
Sector - 10, P.s.- Panchkula, Distt.- Haryana.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Barun P.S.
Case No. 452 of 2021, registered for the offence punishable
under Sections 467, 468, 471 and 420 of the Indian Penal Code
and sections 30(a), 32, 41(i) of the Bihar Prohibition and Excise
Act, 2018.

2681 litres of illicit liquor has been recovered from
container of this petitioner.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Without the knowledge
and consent of this petitioner the vehicle in question was used in
transporting the illicit liquor. 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 container of this petitioner.

Considering the fact that huge quantity of illicit liquor has been recovered from container of this 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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