

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50447 of 2022

Arising Out of PS. Case No.-335 Year-2022 Thana- SARAIYA District- Muzaffarpur

Gautam Kumar Son of Late Shambhu Singh R/V- Sahilapatti (Sohilapetti)
P.S- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner apprehends his arrest in Saraiya P.S.
Case No. 335 of 2022, registered for the offence punishable
under Sections 272, 273/34 of the Indian Penal Code and
section 30(a) of the Bihar Prohibition and Excise Act.

44.64 litres of foreign liquor has been recovered from
the house of this petitioner.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner and the house in question
was in abandoned condition. 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 the house of petitioner.

Considering the nature of allegation and quantity of recovery, 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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