

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52794 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- ARA NAWADA District- Bhojpur

Subash Musahar Son Of Bansilal Sonar R/O Mohalla- Jawahar Tola, P.S.-
Ara Nawada, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 50 litres of country made Liquor from the house of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. A statement has been made in para 3 of the



petition that petitioner has no criminal antecedent.

Learned APP appearing on behalf of the State vehemently opposed the prayer of petitioner and submits that liquor has been recovered from the house of the petitioner.

Considering the fact that recovery of illicit liquor has been made from the house of the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands 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 the order of this Court.

(Sunil Kumar Panwar, J)

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