

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56874 of 2022

Arising Out of PS. Case No.-249 Year-2022 Thana- DHAKA District- East Champaran

Faguni Mukhiya Son Of Kapil Dev Mukhiya R/O Village- Yadavpur Bakhari,
P.S.- Dhaka, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 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), 41(i) of the Bihar Prohibition & Excise Act.

There is recovery of 16.5 litres of illicit country made liquors from the house of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no



concern with the alleged seized illicit liquor. A statement has been made in para 3 of the petition that petitioner has no criminal antecedents.

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

Accordingly, the petition is disposed off with a direction to the petitioner to surrender before learned Court below and pray for regular bail. The learned Court below may consider the prayer for regular bail of the petitioner, keeping in view the facts mentioned above and without being prejudiced by the order of this Court.

With the aforesaid observations/directions, the petition stands disposed off.

(Sunil Kumar Panwar, J)

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