

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71138 of 2021**

Arising Out of PS. Case No.-13 Year-2021 Thana- HATHAURI District- Samastipur

SHRAVAN KUMAR Son of - Upendra Mandal Resident of Village -  
Gangarahi , P.S. - Hathouri, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      01-07-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 22.590 liters of foreign liquor has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Recovery has been made from the house, which is in joint possession of the family. There is no compliance of Section 100 of the Cr.P.C. with respect to search and seizure.

However, learned A.P.P. for the State opposed the bail petition and submitted that aforesaid foreign liquor has been recovered from the house of the petitioner.



Considering the fact that illicit foreign liquor has been recovered from the house of the petitioner, the prayer for anticipatory bail of petitioner is rejected.

**(Prabhat Kumar Singh, J)**

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