

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71103 of 2021

Arising Out of PS. Case No.-314 Year-2021 Thana- VAISHALI District- Vaishali

AMOD KUMAR Son of Gagandev Yadav Resident of Village- Karneji, P.S.-
Belsar, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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), 41(1) of Bihar Prohibition and Excise Act.

As per the prosecution case, Total 349.8 liters of foreign liquor has been recovered from the house of the petitioner. It is further alleged that one stolen motorcycle was also found standing at the door 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. Section 100 of the Cr.P.C. has not been followed with regard to search and seizure. Petitioner has got clean antecedent.



However, learned A.P.P. for the State opposed the bail petition and submitted that huge quantity of 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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