

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65643 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- AGAMKUAN District- Patna

Rahul Raj @ Prince @ Bittu Son Of Ajay Kumar Sinha Resident Of Village -
Karkaine, P.S.- Ghoswari, District - Patna, At Present Resident Of Mohalla -
Chanakya Nagar, Kumhrar, P.S.- Agamkuan, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Agamkuan P.S. Case no. 227 of 2022 instituted for the
offence punishable under Sections 30(a)/32/41(i) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 9.750 litres
country made foreign liquor kept in a bag hanged with the
vehicles and 70.5 liters liquor from room of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely
implicated in this case. It is further submitted that the recovery



of illicit liquor from the house of the petitioner but he gave on rent of that room. He has no concern either with the seized liquor or with the vehicles in question. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail and the place of recovery belongs to the petitioner and he has got three criminal antecedents of similar nature.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is 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 this order of rejection.

(Sunil Kumar Panwar, J)

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