

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69057 of 2022

Arising Out of PS. Case No.-384 Year-2022 Thana- RAFIGANJ District- Aurangabad

VINOD YADAV Son of Surajan Yadav R/O Village - Bandopur, P.S.-
Rafiganj, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

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

140 Kg. of *Mahua* Flower and 40 Kg. of fermented raisin has been recovered from the *Bhusa* house of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that said *Bhusa* house is situated in an open place. It is also submitted that there is no



recovery from the conscious possession of the petitioner.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that recovery is made from the *Bhusa* house of the petitioner.

Considering the fact that *Mahua* Flower and fermented raisin has been recovered from the *Bhusa* house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with Rafiganj P.S. Case No.384 of 2022, pending in the court of learned Special Judge, Excise Court No.1, Aurangabad (Bihar).

(Anjani Kumar Sharan, J)

Sanjay/-

U		T	
---	--	---	--

