

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68804 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- KISHUNPUR District- Supaul

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GANESH SWARNKAR Son of Late Rameshwar Swarnkar R/v- Katahara,
Ward No. 11, Kadampura, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr.Rajesh Kumar

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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(a) of the Bihar Prohibition and Excise Act.

9.375 litres of foreign liquor has been recovered from the *Aangan* of the 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 submitted that Aangan of the house is an open place. It is further 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 the illicit liquor has been recovered from *Aangan* of the house of the petitioner.

Considering the fact that illicit liquor has been recovered from *Aangan* of the 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 Kishanpur P.S. Case No.180 of 2022, pending in the court of learned Exclusive Special Judge, Excise Court No.1, Supaul.

(Anjani Kumar Sharan, J)

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