

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39006 of 2023

Arising Out of PS. Case No.-333 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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MANTU YADAV SON OF RAMESHWAR YADAV RESIDENT OF
VILLAGE- BAHADUPUR, PS- G.B. NAGAR, DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
G.B. Nagar P.S. Case No.333 of 2022, registered for the
offences punishable u/s 30 (a) of Bihar Excise and Prohibition
of liquor, Excise Act, 2016.

3. Altogether 17.280 liters of country made liquor is said to
have been recovered from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or any trade of liquor. He has been falsely



implicated in this case at the instance of his enemy. He was not apprehended on the spot and his name transpired in the case only on the basis of secret information. He further submits that though the recovery has been made from the house of the petitioner, but the said house is a joint house and joint family of petitioner resides there. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the recovery has been made from the house of the petitioner, I am not inclined to grant the petitioner on bail. The prayer for grant of bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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