

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36924 of 2023

Arising Out of PS. Case No.-234 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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AMIT KUMAR S/O HRIRDESH CHANDRA MAHTO @ HRIDESH
MAHTO R/V- Kashipur Ward No.-13, P.S- Samastipur (Town), Distt.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No.234 of 2023 registered for the
offences punishable u/s 30 (a) of Bihar Prohibition and Excise
Amendment Act, 2018.

3. Altogether 23.250 liters of foreign 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. Petitioner has two criminal antecedent of similar nature of offence.

5. Learned APP for the State opposed the prayer for grant of 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 enlarge him 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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