

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40463 of 2023

Arising Out of PS. Case No.-133 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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SHAILENDRA KODA Son of Late Puna Koda R/o Village - Kachiyari
(Pachhiyari) Tola Shrikishun Kodasi, P.S.- Kajra, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 02-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a), 32, 41 & 56 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 10 liters of country made liquor and various equipments of brewing liquor along with raw materials are said to have been recovered from the house of the petitioner. It is further submitted that the petitioner has no concern either with the



seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. Petitioner has one criminal antecedent of similar nature as mentioned in para-3 of this application.

4. Having regard to the facts and circumstances of the case as well as the fact that the recoveries have been made from the house of the petitioner and the criminal antecedent of similar nature of the offence, I am not inclined to enlarge him on anticipatory bail.

5. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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