

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43667 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- NARDIGANJ District- Nawada

Kaushal Kumar @ Kaushal Yadav Son Of Late Sakaldeo Yadav Resident Of
Village- Padariya, Ps- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 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 Sections 30 (a), 30(d) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 5 liters of country made liquor and 500 litres Mahua Mitha Ghol are said to have been recovered from the place of occurrence. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the



similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 02.12.2022 passed in Cr. Misc. No. 62313 of 2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Considering the facts and circumstances of the case and the fact that the petitioner is the member of syndicate who engaged in manufacturing of liquor, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Nardiganj P.S. Case No. 228 of 2022.

(Anjani Kumar Sharan, J)

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