

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60361 of 2023

Arising Out of PS. Case No.-234 Year-2023 Thana- ROSERA District- Samastipur

=====

Bhola Kumar Son Of Late Jageshwar Mahto R/O Vill - Belsandi Tara, Ward
No. 7, P.S. - Bibhutipur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Pronoti Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30(a), 30(b), 32, 41, 62 of the Bihar Prohibition and Excise Act and Sections 272, 273, 420, 467, 468, 471, 120(B) of the Indian Penal Code.

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 3568.320 liters of illicit liquor is said to have been recovered from the different vehicle. He submits that the apprehended person disclosed the name of the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. However, learned APP for the State opposing the prayer for bail submits that huge quantity of illicit liquor has



been recovered from the place of occurrence.

5. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Rosera P.S. Case No. 234 of 2023.

6. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

devendra/-

U		T	
---	--	---	--

(Anjani Kumar Sharan, J)

