

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61340 of 2023

Arising Out of PS. Case No.-238 Year-2023 Thana- AMARPUR District- Banka

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MODO MUSHAR S/O GUNSAGAR MANJHI R/O VILLAGE- JASHI
KHAND MUSHARI TOLA, P.S- AMARPUR, DISTT.- BNAKA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-10-2023 Heard Mr. Brij Nandad Prasad, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Amarpur P.S. Case No.238 of 2023, registered for the offence
punishable u/s 30(a) of the Bihar Prohibition Act, 2022.

3. Allegedly 20 litres 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
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has not been apprehended on the spot
nor any incriminating article has been recovered from his
conscious physical possession. He has no concern with the
recovery of the illicit liquor or any trade of liquor. The said
house is a joint family property where other members also



reside. There is no compliance of section 100 of the Cr.P.C.
Petitioner has no criminal antecedent.

5. Having regard to the facts and circumstances of the case,
since 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 anticipatory bail on his behalf is hereby rejected.

6. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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