

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66029 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- SHEOHAR District- Sheohar

NIRAJ KUMAR S/o- MADAN KUMAR @ MADAN RAI Village-
Sundarpur Kharauna Ps- Sheohar Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sheohar P.S. Case no. 191 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a raid being conducted, the petitioner was caught and a total of 724 litres of liquor was recovered from a small room by the side of his house, used for purpose of storage.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R, it would transpire that information received was with respect to liquor having been kept in the house of Sunil Kumar who happens to be the brother and not this petitioner. Further, as per instruction received, the co-



accused father of the petitioner has been enlarged on anticipatory bail. No incriminating article has been recovered from the petitioner's conscious possession. He is in custody since 29.7.2023.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of recovery of 724 litres of liquor from the house of the petitioner and others together with the petitioner having an antecedent under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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