

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77417 of 2023

Arising Out of PS. Case No.-140 Year-2023 Thana- MIRGANJ District- Purnia

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ARUN RISHI SON OF BHARATHU RISHI RESIDENT OF KAJRA
MUSHAHARI, WARD NO.11, P.S. - MIRGANJ, DISTRICT - PURNEA AT
PRESENT RESIDING AT VILLAGE - CHIKNI, WARD NO.04, P.S. -
SARSI, DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, 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 02-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mirganj P.S. Case No. 140 of 2023, registered for the
offences punishable under Section 30 (a) of Bihar Prohibition
and Excise Act, 2018.

3. Altogether 5 litres of country made liquor has been
recovered from the petitioner's house. He was not found at his
home.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. 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. Petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. He had not consumed liquor. He has been falsely implicated in the case merely on suspicion. The real fact is that the petitioner does not reside in the alleged house. He works as daily wages labour and resides at Village- Chikni, Ward No. 04, P.S.-Sarsi, Purnea and in support of the above fact, he has also enclosed his Aadhar Card in the petition which was marked as Annexure No.2. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of case, as the illicit liquor has been recovered from house of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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