

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73286 of 2022

Arising Out of PS. Case No.-541 Year-2022 Thana- JOKIHAT District- Araria

BAHARUDDIN S/O Late Maqsud @ Maksud Ali R/O Village- Bagdahara,
Ward No- 6, P.S- Jokihat, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Allegedly, 2.5 litres country made wine and 4.5 litres Nepali wine from the *Gumti* shop of the petitioner.

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 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. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of case, as the illicit liquor has been recovered from the *Gumti* shop 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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