

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.336 of 2023

Arising Out of PS. Case No.-273 Year-2021 Thana- AWTARNAGAR District- Saran

ASHOK KUMAR SINGH S/O CHANDRABALI SINGH Resident of
village- Narawn, P.S.- Awtarnagar, District- Saran, Pin-841216, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand, Adv.

For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Awtarnagar P.S. Case No.273 of 2021, registered for the offence
punishable under Sections 30/30(A) of the Bihar Prohibition and
Excise Act.

Altogether, 10 litres of country made liquor is said to
have been recovered from the roof of the house of the petitioner.

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. Though the recovery has been
shown to be made from the roof top of the house of the



petitioner but the fact is that his house is situated into a society, where the houses are sticking adjacent to each house which results into terrace of the whole society at the same level. He has no concern with the recovery of the illicit liquor or any trade of liquor. Petitioner has no criminal antecedent.

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.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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