

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74728 of 2022**

Arising Out of PS. Case No.-741 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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PAPPU YADAV @ PAPPU KUMAR Son of Jhari Yadav R/V- Khutwara,
ward no. 11, P.S- Sadar, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 20-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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.

The prosecution story, in short, is that on a secret
information, a raid was conducted. Upon search, 14.400 litres of
illegal liquor from the house of the petitioner was recovered
and seized.

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. It is further submitted that petitioner is residing in Delhi along with his family. He was not present at the time of alleged occurrence in his house/village. He further submits that the alleged house is a joint property of his family. 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, since illicit liquor was recovered from his house, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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