

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80466 of 2023

Arising Out of PS. Case No.-263 Year-2023 Thana- KALYANPUR District- Samastipur

Anand Kumar Son Of Subodh Mahto R/O Village- Gopalpur, Ward No.-07,
P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 4.320 liters of foreign liquor is said to have recovered from the house of the petitioner. He submits that petitioner was not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioner. He further submits that the house is a joint house and petitioner has no concern with the liquor. He submits that petitioner has got no criminal antecedent as stated in para-3 of



the bail application.

4. Learned APP for the State opposes the prayer for bail.

5. Considering the facts and circumstance of the case and the fact that and the fact that the recovery is made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Kalyanpur P.S. Case No. 263 of 2023. Accordingly, his prayer for bail is hereby rejected.

(Anjani Kumar Sharan, J)

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