

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11322 of 2024

Arising Out of PS. Case No.-719 Year-2023 Thana- BUDDHACOLONY District- Patna

Jitendra Kumar @ Jitu Kumar Son of Ashok Prasad R/o vill - Bichali
Mandiri, Rented in Satish Sharma House, P.s. - Budha Colony, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Minnatullah, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Buddha Colony P.S. Case No. 719 of 2023 dated 07.11.2023 for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 2.16 liters of illicit foreign liquor was recovered from the grocery shop of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner was not at the shop when the search was conducted. It is further submitted that the petitioner has no concern with the



alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the shop of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovery has made from the shop of the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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