

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26709 of 2024

Arising Out of PS. Case No.-552 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Suresh Sharma son of Late paro Sharma R/o- Bhelwa W.No-3, Bhelwa Ps-
Saharsa Dist- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subesh Sharma
For the Opposite Party/s : Mr.Shyam Bihari Singh

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

ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Saharsa Sadar P.S. Case No. 552 of 2023,
registered for the offences punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 09 litres of illicit
foreign liquor was recovered from Tat-fus (Straw house) of the
petitioner.

4. Learned counsel for the petitioner has submitted hat
the petitioner is innocent and has falsely been implicated in this
case. The petitioner has one criminal antecedent as stated in para
3 of the bail petition. The petitioner is not the owner of the said



house.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the alleged recovery is made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the recovery from conscious possession of the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below may consider his prayer for regular bail in accordance with law without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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