

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41857 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- LAKHNAUR District- Madhubani

Sanish Kumar S/o Chhote Lal Paswan Resident of village-manharpatti, P.s.-
Marauna, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2024 Heard learned counsel for the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 41 litres of illicit Nepali liquor was recovered from the motorcycle of the petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from the conscious possession of this petitioner. Petitioner has been made accused because he is the owner of the seized motorcycle. Petitioner has no criminal antecedent. Petitioner has no concern with the alleged recovery.



5. Learned APP for the State has vehemently opposed the bail of the petitioner and submits that the alleged recovery is made from the motorcycle of this petitioner.

6. Considering the aforesaid facts and circumstances and huge quantity of recovery made from the motorcycle of this petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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