

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64198 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- PARSA District- Saran

Bablu Kumar S/O Bakil Ray R/O Village- Rahimpur,P.S.- Sonpur, Distt.-
Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. 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.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 60 liters of country made liquor is said to have been recovered from the motorcycle. Petitioner is the owner of the said motorcycle. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely



implicated in this case at the instance of his enemy. Petitioner has two criminal antecedents of similar nature of the offence as mentioned in para-3 of this application.

4. Considering the facts and circumstances of case as well the fact that the petitioner is the owner of the said motorcycle from which the hooch has been recovered and the fact that petitioner has two criminal antecedent of similar nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

5. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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