

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78203 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- KASHICHAK District- Nawada

Tinku Kumar @ Gautam Kumar Son of Madan Mahto Resident Of Village-
Madhepur, Ps -Kashichak District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Ms. Gulnar Begum, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kashichak P.S. Case No. 116 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Altogether 362.88 litres of foreign liquor has been recovered from *Dalan* of the petitioner. Seeing the police, the accused persons are said to have fled away from the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious possession of the petitioner. He 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 totally false and based on concocted facts. His name has been transpired in the present case due to animosity. The said *Dalan* from where the alleged recovery has been made belongs to joint family and the same is used by several family members as cattle shade and therefore, petitioner had no knowledge of keeping of the said liquor. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this bail application.

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

6. Considering the facts and circumstances of the case and particularly the place of recovery, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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