

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78703 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- SRIPUR District- Gopalganj

Mokkadar Ali @ Mokadar Ali @ Mukaddar Ali @ Mukadar Ali S/o- Late
Raja Hussain Shekh @ Late Raja Hussain Village- Pandey Parsa P.S-Sripur
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-11-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sripur Police Station Case No. 121 of 2024, dated 22.07.2024, disclosing offence under Sections 25(1-b)a/26 of the Arms Act and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The allegation against the petitioner, as per the First Information Report, is that the house of the petitioner was raided by the police and the police recovered 21 litres of illicit country-made liquor and one country-made pistol with two live cartridges from the said house of the petitioner.
4. Learned Counsel for the petitioner submits that the



petitioner has falsely been implicate in this case on the basis of disclosure of his name by the village chowkidar. He further submits that the house in question does not belong to the petitioner. He further submits that at the time of search and seizure, the house was locked and no one was present inside the said house.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor and arms and ammunition has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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