

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85877 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- KURSAKANTA District- Araria

Kundan Sardar S/o Musharu Sardar R/o vill - Saurgaon, ward no. 4, P.S. -
Kuraskata, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 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 44 liters of country made liquor is said to have been recovered from the house of the petitioner. 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. The house of the petitioner is inhabited by several family members and who has



put the aforesaid hooch is not known to the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Considering the facts and circumstances of case as well as the fact that the aforesaid recovery has been made from the house of the petitioner, 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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