

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84078 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- GARVANDANGA District- Kishanganj

RISHKU HEMBRUM @ RISKU HEMBRAM S/O BAPEY HEMBRUM @
BAPOI HEMBRAM VILLAGE- CHANDBHITTA, WARD NO. 14,
KUMHIYA, PS. GARWANDANGA, DIST. KISHANGANJ.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mrs.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in connection
with Garwandanga P.S. Case No.27 of 2023, registered for the
offences punishable u/s 30(a) of Bihar Prohibition Excise Act.

3. Altogether 15 litres of country made liquor is said to
have been recovered from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case due to ulterior
motive. No incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no



concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case on the basis that from his house, recovery has been made but the said house is a joint house of the petitioner. There is no compliance of section 100 of the Cr.P.C. Petitioner has no criminal antecedent.

5. Having regard to the facts and circumstances of the case and considering that the recovery has been made from the house of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

