

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81660 of 2023

Arising Out of PS. Case No.-448 Year-2023 Thana- Excise P.S. District- Samastipur

MANGAL SADA SON OF JANKI SADA R/O VILLAGE-
RAGHUNATHPUR, KISHANPUR, P.S.- WARISNAGAR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 19-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Excise Sadar P.S. Case No. 448 of 2023, registered for the offences punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 25.515 litres of foreign liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. Nothing has been



recovered from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the alleged recovery is made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below shall consider his prayer for regular bail on the same day without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Ranjeet/-

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