

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84078 of 2024

Arising Out of PS. Case No.-477 Year-2024 Thana- RAFIGANJ District- Aurangabad

Sachin Kumar Son of Late Bhikhar Yadav Resident of Village -Twari Bigha,
PS- Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 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 (Amendment) Act, 2022.

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 60 liters of foreign liquor is said to have been recovered from outside the house behind the outside of the boundary wall of 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 place of recovery is an open



place and easily accessible to anyone. Petitioner has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Considering the facts and circumstances of case and the place of the recovery, 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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