

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1139 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- UPHARA District- Aurangabad

NANHAK SAO @ YOGENDRA SAO S/O LATE ETWAR SAO R/O
VILLAGE- DANDWA, P.S- UPHARA, DISTT.- AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rita Verma, APP

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

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Uphara P.S. Case No. 98 of 2023 dated 02.12.2023 for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 38 litres of illicit Mahua liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Local Chowkidar disclosed the name of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the recovery has been made from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, 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 today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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