

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30109 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- RAJEPUR District- East Champaran

Anil Yadav @ Anil Rai Son Of Late Umashankar Rai Resident of Village -
Narha Got, P.S.- Rajepur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 12.750 litres of foreign liquor is said to have been recovered from the Baithaka of the



petitioner. He submits that petitioner was not arrested at the spot and nothing was recovered from his possession. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that recovery has been made from the Baithaka of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Rajepur P.S. Case No. 155 of 2020 pending before the court of the learned Special Judge, Excise, East Champaran, Motihari.

(Anjani Kumar Sharan, J)

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