

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33314 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- CHACKMEHSI District- Samastipur

Prince Kumar S/O Pappu Singh @ Pappu Kumar Singh R/O Village-Kalaujar,
P.S Chakmehsi, District-Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 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, 273/34 of the Indian Penal Code and Section 30(a)/47 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 9 litres of foreign liquor is said to have been recovered from the house of the petitioner



which is joint family property of the petitioner. He further submits that petitioner has one 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 illegal liquor was recovered from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Chakmehsi P.S. Case No. 39 of 2021 pending before the court of the learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise Act, Samastipur.

(Anjani Kumar Sharan, J)

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