

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9591 of 2022**

Arising Out of PS. Case No.-347 Year-2021 Thana- KALYANPUR District- Samastipur

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SANJEEV KUMAR Son of Late Brij Nandan Sahni Resident of Village -
Mohanpur, P.s.- Kalyanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR
SHARAN**

ORAL ORDER

2 15-07-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No.347 of 2021 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Amendment Act-2016.

Altogether 108 litres of foreign liquor is said to have been recovered from the shop of the petitioner.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in



the FIR. Petitioner has been falsely implicated in this case due to dirty village politics in collusion with the police. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. He further submits that he has no concern with the shop from where the recovery has been made. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the shop of the petitioner, I am not inclined to enlarge him on bail. The prayer for anticipatory bail on behalf of the petitioner is rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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