

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9557 of 2022

Arising Out of PS. Case No.-608 Year-2021 Thana- CHANPATIA District- West Champaran

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RAMCHANDRA MAHTO @ RAM CHANDAR MAHTO S/o Jawahir
Mahto Resident of Village- Garabhua, Lala Tola, P.S.- Chapatia (Sarisiya
O.P.), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv

For the Opposite Party/s : Mr. H.A. Khan, 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 Chanpatia (Sirisiya O.P.) P.S. Case No.608 of 2021, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

Altogether 8 litres of country made liquor said to have been recovered from the house of petitioner who lives there jointly with his family.

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 at the instance of his enemies. 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. The informant has not disclosed the source of his information. The entire raid has been done behind the back of the petitioner and his family. Petitioner has one criminal antecedent of similar nature, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the house 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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