

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9606 of 2022**

Arising Out of PS. Case No.-152 Year-2021 Thana- HATHAURI District- Samastipur

SIKANDER PASWAN SON OF LATE SINGHESHWAR PASWAN Resident
of Village - Megupatti, P.s.- Hathauri, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**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 Hathauri P.S. Case No.152 of 2021, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise (Amendment) Act-2018.

Altogether 05 litres of country made liquor in is said to have been recovered in a plastic jarkin adjacent to the house 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 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. He further submitted that the spot from where the recovery has been made is in joint possession of the several family members. 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 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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