

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9553 of 2022

Arising Out of PS. Case No.-381 Year-2021 Thana- ATRI District- Gaya

TOTI CHAUDHARY SON OF LATE SADHU CHAUDHARY R/O
VILLAGE- TETUA (RAMNA), P.S.- ATRI, DISTRICT- GAYA (BIHAR)
823311

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Sangeeta 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 Atri, P.S. Case No.381 of 2021, registered for the offence punishable u/s 272, 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Amendment Act-2018.

Altogether 9 litres of foreign liquor is said to have been recovered from 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 only on suspicion without application of mind. 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 name of the petitioner was disclosed by the co-accused in his statement. 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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