

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10326 of 2022**

Arising Out of PS. Case No.-401 Year-2021 Thana- ATRI District- Gaya

RAJU CHAUDHARY S/O FULCHAND CHAUDHARY R/o village- Sahora,
P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv
For the Opposite Party/s : Mr. Rana Randhir Singh, 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.401 of 2020, registered for the offence punishable u/s 272 and 273 of the Indian Penal Code and 30(a) (d) of the Bihar Prohibition and Excise (Amendment) Act-2018.

Altogether 1500 litres mixed liquid of mahua, mitha and kishmish is said to have been recovered from the bank of river. It is alleged by nearby people that the petitioner is a member of the syndicate involved in manufacture of liquor.

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 said recovery has been made from the bank of river which is an open place and does not belong to the petitioner. The name of the petitioner and other accused persons were disclosed by the local residents on suspicion. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the petitioner is a member of syndicate involved in manufacturing of illicit liquor, 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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