

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23318 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- HATHIDAH District- Patna

CHANDAN RAI SON OF NARESH RAI R/O VILLAGE- CHAITA NORTH
TOLA SAPAHA, P.S.- ANGARGHAT, DISTRICT- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Hathidah P.S. Case no. 55 of 2020 instituted for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Prosecution case relates to recovery of 222.375 litres
of IMFL from a Bolero.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Nothing has been recovered from conscious and constructive possession of the petitioner rather the same has been recovered a Bolero vehicle.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that petitioner is registered owner of the alleged vehicle, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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