

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24124 of 2021**

Arising Out of PS. Case No.-722 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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PRAKASH @ RINKU KUMAR @ RINKU KUMAR RAJAK S/o Sri Lal
Babu Paswan R/o village- Kanhauli Math, Ajarakwe, P.S.- Mithanpura,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.A.PP.

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-01-2022 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 Town P.S. Case no. 722 of 2020 instituted for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

As per allegation in the FIR, recovery of 35.64 litres



of IMFL has been made from stair room of third floor of the petitioner's house and he managed to escape from the house.

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. The alleged house is joint property. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious physical possession.

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

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, 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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