

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17066 of 2022

Arising Out of PS. Case No.-352 Year-2021 Thana- RAJAOLI District- Nawada

KULDEEP YADAV Son of Radhe Yadav Resident of Village - Badhra, P.S.-
Rajauli in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2022 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 Rajauli P.S. Case No.352 of 2021, registered for the offence punishable u/s 30(a)(d)/37(C)/41 of the Bihar Prohibition and Excise Act, 2016.

Altogether 4000 litres of Jawa Mahua liquor along with other wine making articles is said to have been recovered from the spot and it is alleged that petitioner, who fled away from the spot is involved in the said syndicate of manufacturing 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. His name transpired in this case on the disclosure of the chowkidar and the apprehended accused persons, with whom petitioner has inimical terms. 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 recovery has been made from an abandoned place near the bank of river, from which petitioner has no concern. He has three criminal antecedent of similar nature of offence, as also mentioned in para-3 of the application.

Considering the aforesaid facts and circumstances, since the petitioner is the member of the syndicate involved in manufacturing liquor, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on behalf of the petitioner named above is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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