

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17641 of 2022

Arising Out of PS. Case No.-288 Year-2021 Thana- RAJAOLI District- Nawada

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KULDEEP YADAV @ KULDEEP PRASAD 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

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Appearance :

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

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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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.288/2021, registered for the offence punishable u/s 30(a)(d)/41 of Bihar Prohibition and Excise Act.

Huge quantity of illicit 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 also 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, as to the person who escaped from the spot. 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 *Bhatti* 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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