

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20463 of 2022**

Arising Out of PS. Case No.-46 Year-2022 Thana- WARISNAGAR District- Samastipur

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ARJUN KUMAR @ ARJUN SAH Son of Kameshwar Sah Resident of
Village- Raipur, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 05-08-2022 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 a case registered for the offence punishable u/s 30(a) of the Bihar Excise and Prohibition Act, 2016.

Altogether 5 litres of country made liquor and other articles is said to have been recovered from the house of the petitioner.

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 basis that he is the owner of the said house. 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. Although the house belongs to the petitioner but the same is a joint property where many people are residing along with him. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the house of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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