

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21600 of 2022

Arising Out of PS. Case No.-171 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

TUNTUN KUMAR@ PAWAN KUMAR YADAV Son of Bishundeo Yadav
Resident of Village - Isharipar, P.s.- Mufassil, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned APP
for the State 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 undertaken 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)(d) of the Bihar Prohibition and Excise Act, 2016.

Altogether 24, 18, 22 and 18 liters of Mahua liquor along with other articles used in preparation of liquor is said to have been recovered from the spot. Allegation against the petitioner is that he fled from the spot on seeing the police.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in



the FIR. He has been falsely implicated in this case due to ulterior motive. His name transpired in the case on the disclosure of the local people that the petitioner and others involved in manufacturing of liquor, fled from the spot on seeing the police. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has no concern either with the seized liquor or any trade of liquor. The said place of recovery does not belongs to the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application and similarly situated co-accused namely Basudeo Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.09.2021 passed in Cr. Misc. No.33608 of 2021.

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

This application, is accordingly dismissed.

(Anjani Kumar Sharan, J)

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