

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22656 of 2022

Arising Out of PS. Case No.-496 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

AWADHESH RAI S/o Late - Dev sharan Ray @ Dineshwar Rai Resident of
Village - Methwaliya, P.s.- Chapra Muffasil, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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.

The petitioner apprehends his arrest in connection with Chapra Muffasil P.S. Case No.496 of 2021, registered for the offence punishable under Sections 30/30(a) of the Bihar Prohibition and Excise Act, 2018.

Allegedly 57 litres of country made liquor is said to have been recovered from the house of the petitioner, who fled away from the spot on seeing the police and the co-accused was apprehended on the spot.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has not been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has been made accused in this case on the basis of confessional statement of the co-accused. He has no concern with the recovery of the illicit liquor or any trade of liquor. Petitioner has one criminal antecedent.

Having regard to the facts and circumstances of the case, since the 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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