

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23553 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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SURENDRA RAM S/o Sukhlal Ram R/o village- Barawa, P.S.- Sangrampur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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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 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.

The petitioner apprehends his arrest in connection with
Sangrampur P.S. Case No.139 of 2021, registered for the
offence punishable under Sections 30(a), 32, 41(1) of the Bihar
Prohibition and Excise (amendment) Act, 2016.

Allegedly 55 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.

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 been falsely implicated in this case due to village politics. His name transpired in the case on the disclosure of the local Chaukidar. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern with the recovery of the illicit liquor or any trade of liquor. The said house is the joint family property of the petitioner where others also reside. There is no compliance of section 100 of the Cr.P.C. 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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