

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25942 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- AMNAUR District- Saran

MUKESH SINGH Son of Jai Narayan Singh Resident of village - Amnaur
Aguan, P.S. - Amnaur, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-08-2022 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 Amnaur P.S. Case No.18 of 2022, registered for the offence punishable under Sections 272, 273 IPC and section 30(a) of the Bihar Prohibition and Excise Act.

Allegedly 180 litres of country made liquor and 3.240 litres of foreign 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 were 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. The room from where recovery has been made does not belongs to the petitioner and he lives in the house with other members. There is no compliance of section 100 Cr.P.C. Petitioner has no 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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