

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26942 of 2022

Arising Out of PS. Case No.-241 Year-2021 Thana- MOHIUDDIN NAGAR District-
Samastipur

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VINOD CHAUDHARI SON OF SITARAM CHAUDHARY RESIDENT OF
VILLAGE - SEKH TOLI, MOHIUDDIN NAGAR, PS- MOHIUDDIN
NAGAR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-08-2022 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)/34 of the Bihar
Prohibition of Liquor and Excise (Amendment) Act, 2018.

Altogether 7 liters of country made liquor is said to have
been recovered from the house of the petitioner. Two
apprehended persons disclosed the name 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. He has been falsely implicated in this case due to ulterior motive. His name transpired in the case on the basis of secret information. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. The said recovery has been made from the joint house of the petitioner. Petitioner has no concern either with the seized liquor or any trade of liquor. Petitioner has one criminal antecedent of similar nature, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for grant of bail.

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.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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