

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29710 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- KALYANPUR District- Samastipur

LAXMI SAHNI Son of Shivjee Sahni Resident of village - Muktapur Gadha,
Ward No.- 3, P.S.- Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mrs.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-09-2022 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 Kalyanpur P.S. Case No.21 of 2022, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Allegedly 15 litres of country made liquor is said to have been recovered from the thatched hut of the petitioner, who is alleged to have 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 ulterior motive. He has not been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. The said hut is not in the ownership of petitioner. There is no compliance of section 100 of the Cr.P.C. He has no concern either 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 hut of 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)

pallavi/-

U		T	
---	--	---	--

