

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29717 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- PATNA CITY CHOWK District- Patna

VIKKY YADAV Son of Vijay Yadav Resident of Village - Morcha Road, P.s.-
Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, 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 Chowk P.S. Case No.295 of 2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Allegedly 124.2 litres of foreign liquor is said to have been recovered from the Western side of the house of petitioner, who is said to have escaped 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. It is submitted that petitioner is not the owner of 'Karkat' house which is made in open field and petitioner's house is beside of that the alleged house/hut. 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 house 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)

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