

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29811 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- MUFFASIL District- Aurangabad

SONU KUMAR S/o Siyaram Yadav Resident of Village- Amar Bigha, P.s.-
Mufasil Aurangabad, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Chandra Bhaskar, Adv.
For the Opposite Party/s : Mr.Pradeep Narain Kumar, 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 Muffasil Aurangabad P.S. Case No.139 of 2022, registered for the offence punishable under Sections 30/30(a) of the Bihar Prohibition and Excise Act, 2018.

Allegedly 16.500 litres of country made liquor is said to have been recovered from the house 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 not been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. At the time of alleged recovery, petitioner was outside the village for his tuition. 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 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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