

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33893 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- MANJHI District- Saran

GAUTAM CHOUDHARY SON OF LATE MOTI CHOUDHARY R/O
VILLAGE- CHOUBA ASTHAN, P.S.- MANJHI, DISTRICT- SARAN AT
CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-09-2022 Heard the parties 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 stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Manjhi P.S. Case No.70/2021, registered for the offence punishable u/s 30, 30(a) of the Bihar Prohibition & Excise Act.

15 litres of country made liquor is said to have been recovered from the house of the petitioner. Wife of petitioner was apprehended on spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case merely on suspicion. The name of petitioner transpired in the case on the basis of confessional statement of apprehended co-accused. He has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has no criminal antecedent. The said house from which recovery has been made is a joint family property where others also reside. Petitioner has one criminal antecedent.

Having regard to the facts and circumstances of the case, since 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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