

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44307 of 2021**

Arising Out of PS. Case No.-110 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

SATU SAHNI S/O BHUKHAL SAHNI R/o village- Barnawaghat, P.S.-
Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anang Mohan Sinha, Adv.

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 29-01-2022 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 Muffasil P.S. Case No.110 of 2020, registered for the offence punishable u/s 272, 273 of IPC and section 30(a), 36 of the Bihar Prohibition and Excise Act.

Altogether 35 liters of illicit liquor is said to have been recovered from the hut 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. Petitioner has been falsely implicated in this case on mere suspicion. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has no concern either with the seized liquor or any trade of liquor. The said recovery has been made from the hut on the bank of river Harnawa ghat in abandoned stage, which does not belongs to the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, since the recovery of liquor has been made from the hut of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner named above.

Accordingly, the instant anticipatory bail application is dismissed.

(Anjani Kumar Sharan, J)

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