

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45480 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- ROHTAS District- Rohtas

SUNIL KUMAR S/o Late Dashrath Prasad R/o village- Rasulpur, P.S.-
Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, 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 Rohtas P.S. Case No.83 of 2021, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

Altogether 8 quintals of Mahua liquor and ten bottles of foreign liquor containing 500 ml each is said to have been recovered from the house 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.



Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. The said recovery has been made from a newly constructed house having no shutter and is approachable to anyone. 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 house 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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