

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37233 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- VAISHALI District- Vaishali

RAJESH KUMAR @ RAJESH PASWAN Son of Jaymangal Paswan
Resident of Village - Nawada, P.S.- Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chakravarti Singh
For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 Heard the parties.

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.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a)/32(2)/41(1) of the Bihar Prohibition and Excise Act, 2018.

Altogether 1.620 liters of foreign liquor is said to have been recovered from the motor cycle 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 at the instance of his enemies. His name transpired in this case on



the basis of secret information. 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. Co-accused Nandlal has confessed the name of the petitioner and the motor cycle in question is under the name of the petitioner. Petitioner has no criminal antecedent.

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

Considering the facts and circumstances of the case, since the recovery has been made from the vehicle 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.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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