

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38432 of 2022

Arising Out of PS. Case No.-445 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

MUMTAJ ALAM @ MUMTAJ SON OF MD. SAFIC R/O VILLAGE-
DADAR KOLHUA, P.S.- AHIYAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code & 30(a)/36 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 30.315 liter of foreign liquor



as well as Rs.20,900/- in cash is said to have recovered from the house of the petitioner. He submits that allegation against the petitioner is that he fled away after seeing the police. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application.

Considering the facts and circumstance of the case and the fact that recovery has been made from the house of the petitioner, I am not incline to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Ahiyapur P.S. Case No. 445 of 2020.

(Anjani Kumar Sharan, J)

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