

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52692 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- SARAI District- Vaishali

PREM KUMAR Son of Meghan Rai Resident of Village- Nanpur, Police
Station- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2022 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 undertaken period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with Sarai P.S. Case No.67/2021, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act, 2018.

Altogether 10 liters of country made liquor is said to have been recovered from the motorcycle 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. He 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. Petitioner has no concern either with the seized liquor or any trade of liquor. Although the petitioner is the owner of the seized motorcycle but the fact is that this case has been fabricated against him due to non-fulfillment of illegal demand of the police personnel. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

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

The prayer for bail is rejected and the application is dismissed.

(Anjani Kumar Sharan, J)

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