

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40097 of 2022

Arising Out of PS. Case No.-170 Year-2022 Thana- CHANPATIA District- West Champaran

Dhamu Sah Son Of Late Binod Sah @ Late Vinoad Sah R/O Village-
Garbhuwa Lala Tola, P.S.- Chanpatia (SIRISIYA O.P.), District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor 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 his arrest in a case
registered for the offence punishable under Sections 30(A) of
the Indian Penal Code pending in the Court of learned Special
Judge, Excise, Bettiah, West Champaran.

Learned counsel for the petitioner submits that the
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 15 litres of country made liquor is said to have been recovered near the main canal. He further submits that local chaukidar disclosed the name of the petitioner. He further submits that petitioner has one criminal antecedent in similar nature as stated in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the police has destroyed 200 liter semi-manufactured liquor from the place of occurrence, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that petitioner is a member of the syndicate who manufacturing illicit liquor, I am not inclined to enlarge the petitioner on bail in connection with Chanpatia P.S. Case No.170/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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