

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50140 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- BIBHUTIPUR District- Samastipur

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TRIVENI KUMAR @ TRIVENI SAHNI Son of Mahendra Sahni Resident of
Village- Desri Karrakh, Ward No. 11, Tola Banauli, P.S.- Bibhutipur, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-02-2022 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 Bibhutipur P.S. Case No.114 of 2021, registered for the offence punishable under sections 272, 273 of the IPC and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 193.200 liters of foreign liquor is said to have been recovered from the car of the petitioner, parked in front of his house.

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. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or any trade of liquor. There is no compliance of section 100 Cr.P.C. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid facts and circumstances, since the recovery has been made from the car of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail to the petitioner named above is hereby rejected.

Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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