

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50130 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- PARAIYA District- Gaya

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ANIL KUMAR CHAUDHARY S/o SHIVA CHAUDHARY R/o VILLAGE-
BAGAH, P.S- PARAIYA, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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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 Paraiya P.S. Case No.43 of 2020, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether six liters of country made liquor has been recovered from a motorcycle parked by the petitioner in the garden.

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 due to dirty village politics. Petitioner is neither named in the FIR nor apprehended on the spot. 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. The recovery is said to have been made from the motorcycle of the petitioner but the actual fact is that the friend of the petitioner has taken his motorcycle for urgent work. 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 motorcycle 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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