

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53829 of 2021

Arising Out of PS. Case No.-266 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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SUSHANT KUMAR Son of Late Tuntun @ Tuntun Mandal Resident of
Village- Sukhashan, Ward No.03, Navtoliya, P.S.- Singheshwar, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2022 Heard learned counsel for the petitioner and

learned A.P.P. for the State through virtual Court proceedings.

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

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner rather 25 liters
of country made liquor and other brewing material is said to



have been recovered from a canal. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been falsely implicated in this case at the instance of his enemy. There is violation of Section 100 Cr.P.C. Petitioner has one criminal antecedent of similar nature of offence, as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and the criminal antecedent of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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