

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55621 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- RAJNAGAR District- Madhubani

SANJAY PODDAR Son of Baiju Poddar Resident of Village - Purani Bazar,
Ward no. 10 Jhanjharpur, P.S. - Jhanajharpur, District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Jagdhara Prasad

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 272 & 273 of the Indian Penal Code and 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 135 liters of Nepali country made liquor is said to have been recovered



from the motorcycle of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. As a matter of fact, the petitioner's motorcycle was stolen away by some unknown thief and that has been used in the commission of the alleged offences. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and huge recovery of hooch from the motorcycle of the petitioner, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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