

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45828 of 2022

Arising Out of PS. Case No.-427 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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CHUNCHUN KUMAR @ VED PRAKASH KUMAR Son of Jai Kishore Rai
Resident of village - Balia Indrajeet, P.S. - Bochahan, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in connection with Excise
Case No.427/2021, registered for the offence punishable u/s
30(a) & 30(2) of the Bihar Prohibition and Excise Act.

Altogether 267.84 litres of foreign liquor is said to have
been recovered from the hutment of petitioner.

Learned counsel for the petitioner submits that petitioner
is quite innocent and has not committed any offence as alleged
in the FIR. Petitioner has been falsely implicated in this case at
the instance of his enemies. Petitioner has neither been
apprehended on the spot nor any incriminating article has been



recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. The hutment situated besides the road does not belongs to the petitioner. There is no compliance of section 100 of the Cr.P.C. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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