

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57007 of 2021

Arising Out of PS. Case No.-237 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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MANGAL DAS S/o LATE RAJENDRA DAS R/o VILLAGE-
CHHATNESHWAR, WARD No.07, P.S-WARISNAGAR, DISTRICT-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aprajita

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2022 Heard the parties.

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 Excise Case No.237/2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 334.800 liters of foreign liquor is said to have been recovered from the hut of the petitioner.

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 any incriminating article has been recovered from his conscious physical possession. Name of petitioner transpired in the case on the basis of investigation, as his mobile sim was used by the other co-accused being his father. Petitioner has no concern either with the seized liquor or any trade of liquor. The recovery is said to have been made from the garden of co-accused Gopal Rai. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the hut of the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner named above. Prayer for bail is rejected.

Accordingly, the instant application is dismissed.

(Anjani Kumar Sharan, J)

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