

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47742 of 2022

Arising Out of PS. Case No.-302 Year-2022 Thana- KESARIA District- East Champaran

SRI RAI @ SRI NARAYAN RAI Son of Late Mahaveer Rai R/o vill.-
Mohammadpur Tola, Duma, P.S.- Kesariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2022 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 a case registered for the offence punishable u/s 30(a), 32, 41(1) of the Bihar Prohibition and Excise Amendment Act, 2018.

Altogether 20 litres of country made liquor is said to have been recovered from the house 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. Petitioner has been falsely implicated in this case at the instance of his enemies. His name transpired in this case on the basis of the statement of local watchman. 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 house from where the recovery has been made is a joint house and other family members like the cousin brothers and others also reside there. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP opposed the prayer for grant of anticipatory bail.

Having regards to the facts and circumstances of the case, since the recovery has been made from the house of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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