

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48456 of 2022

Arising Out of PS. Case No.-334 Year-2021 Thana- RAHUI District- Nalanda

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DAMODAR CHAUDHARY S/o Late Sahdev Chaudhary Resident of
Village- Baliya Bigha, P.S.- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranvijay Singh, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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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.

The petitioner apprehends his arrest in connection with
Rahui P.S. Case No.334 of 2021, registered for the offence
punishable u/s 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegedly 3 litres of country made liquor is said to have
been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has not been apprehended on the spot
nor any incriminating article has been recovered from his
conscious physical possession. He has been made accused in
this case merely on suspicion. He has no concern with the



recovery of the illicit liquor or any trade of liquor. The alleged recovery has been made from joint house of petitioner. There is no compliance of section 100 of the Cr.P.C. Petitioner has two criminal antecedent.

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

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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