

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59134 of 2021

Arising Out of PS. Case No.-141 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

1. RAJNIKANT SINGH @ RAJNIKANT KUMAR Son of Premchand Singh Resident of Village - Bilaspur, P.S. - Bhagwanpur Hat, District - Siwan.
2. PREMCHAND SINGH Son of Late - Dhanushdhari Singh Resident of Village - Bilaspur, P.S. - Bhagwanpur Hat, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within the stipulated period, office will place the matter before the Bench.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 30(a)/38(2) of the Bihar Excise Amendment Act, 2016.

Altogether 70 liters of spirit is said to have been recovered from the chicken farm of the petitioners.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any



offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of his enemies. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. Allegation against them is that seeing the police, they fled away from the spot. They have no concern either with the seized liquor or any trade of liquor. There is no compliance of section 100 of the Cr.P.C. Petitioner has one criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the chicken farm of the petitioners, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail to the petitioners named above is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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