

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49734 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- ARA NAWADA District- Bhojpur

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SURAJ KUMAR Son of Late India Prasad Resident of Mohalla - Pakari
(near Post office), P.S.- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual mode.

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

The petitioner apprehends his arrest in connection with
Ara Nawada P.S. Case No.227 of 2022, registered for the
offence punishable under Sections 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2018.

Allegedly 122.75 litres of foreign liquor is said to have
been recovered from the rented house of Chandan Kumar in the
campus of one Bibijan. Said Chandan Kumar was apprehended
on the spot and he disclosed the name of petitioner, who is
involved along with him in bringing the liquor from Uttar
Pradesh.



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 on the basis of confessional statement of the co-accused who happens to be the brother of the petitioner. He has no concern with the recovery of the illicit liquor or any trade of liquor. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, since the petitioner is involved in the business of liquor, 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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