

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50511 of 2022

Arising Out of PS. Case No.-409 Year-2022 Thana- BUXAR District- Buxar

MANOJ CHAUHAN Son of Bihari Chauhan R/V- Nadaon, P.S- Buxar(M),
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP.

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 court
proceedings.

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

Petitioner apprehends his arrest in connection with
Buxar(Nagar) Excise P.S. Case No.409 of 2022, registered for
the offence punishable u/s 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

Altogether 17.280 litres of foreign liquor is said to
have been recovered from the shop of the petitioner. It is alleged
that petitioner and others fled away from the spot.

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. 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. Though petitioner is the owner of the shop but many persons use to visit the shop and the said liquor has been implanted in his shop by some unknown person. Petitioner has two criminal antecedents which are of similar nature of offence.

Having regard to the facts and circumstances of the case, since the recovery has been made from the shop of the 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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