

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9178 of 2021

Arising Out of PS. Case No.-445 Year-2020 Thana- DEHRI TOWN District- Rohtas

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APPU SHARMA @ AMAR VISWKARMA Son of Late Chandrabhan
Viswakarma Resident of Village - New Area, P.S.- Dihri Nagar, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 353, 414,
& 120B of the Indian Penal Code and Section 48/45 of the
Bihar Prohibition and Excise Act, 2018.

The allegation against the petitioner is of
obstructing the police in discharging their duties, using theft
vehicle and smuggling of hooch.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. The name of the petitioner has added by the police without any cogent reason only on the confessional statement of other co-accused. There is violation of Section 100 Cr.P.C. It is further submitted that there is no evidence regarding obstruction in official work. Petitioner has one criminal antecedents of similar nature as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and the criminal antecedent of the petitioner, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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