

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54597 of 2022

Arising Out of PS. Case No.-99 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Shekhar Rai @ Chandra Shekhar Rai Son Of Harish Chandra Rai @ Hari Chandar Rai Resident Of Village- Mohammadpur Devpar, P.S.- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad
For the Opposite Party/s : Mr. Shantanu Kumar (A.P.P)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 74.415 litres of illicit liquor from the cattle shed.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in the present case only on the basis of mere suspicion. It is also submitted that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The



petitioner has no concern with the seized illicit liquor. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing on behalf of the State has vehemently opposed the prayer of the petitioner and submitted that the place of seizure belongs to petitioner.

Considering the fact that petitioner is owner of the alleged cattle shed from which the illicit liquor has been recovered, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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