

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62621 of 2021**

Arising Out of PS. Case No.-111 Year-2021 Thana- PHULWARIA District- Begusarai

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SURAJ KUMAR Son of Bachhan Mahto Resident of Village - Fulwaria - 03,
Bishar Sthan, Ward no.11, P.s.- Fulwaria, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2022 Heard the parties.

Learned counsel for the petitioner 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.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 7.125 liters of foreign liquor is said to have been recovered from the motorcycle of the petitioner.

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. Allegation against him is that seeing the police, he fled away from the spot. He has no concern either with the seized liquor or any trade of liquor. Petitioner is not the owner of the said motorcycle from which recovery has been made. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail by submitting that the said motorcycle belongs to the petitioner as it is registered in his name.

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

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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