

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53887 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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KAMLESH PASWAN Son of Gorakh Paswan Resident of village -
Mahadewa, P.S.- Obra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rupa Kumari

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-11-2022 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 30 (a) of
the Bihar Prohibition and Excise Amendment Act, 2018.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner rather 10 liters
of country made liquor is said to have been recovered from the



motorcycle of the petitioner kept in a bag and after seeing the police party petitioner fled away abandoning the motorcycle. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, recovery of liquor from the motorcycle of the petitioner and petitioner is the owner of the said motorcycle, 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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