

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64659 of 2021**

Arising Out of PS. Case No.-119 Year-2021 Thana- KUTUMBA District- Aurangabad

Vikash Kumar Chouhan Son of Suraj Chouhan Resident of Village-
Bastacolla, Chouhan basti near devi mandir, District- Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari

For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Kutumba P.S.
Case No. 119 of 2021, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

75.900 litres of country made liquor has been
recovered from a motorcycle of which this petitioner is
registered owner.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. There is no allegation of
tampering with the evidence against this petitioner. The
provision of section 100 Cr.P.C has not been followed.



In view of section 76(2) of the Bihar Prohibition & Excise Act, 2016, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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