

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65608 of 2021**

Arising Out of PS. Case No.-229 Year-2021 Thana- SARAIYA District- Muzaffarpur

ABHINASH KUMAR @ AVINASH KUMAR @ MAYA Son of Shivshankar
Ray Resident of Village- Chhitri, P.S.- Saraiya, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 30-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 272/273 IPC and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

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 59.5 liters of foreign liquor along with raw material of making



illicit liquor is said to have been recovered from the Bathan of the petitioner. 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 clean antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and huge recovery of liquor from the Bathan 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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