

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68873 of 2021

Arising Out of PS. Case No.-86 Year-2021 Thana- TIKAPATTI District- Purnia

SUBOODH JAISWAL S/o Ram Avtar Jaiswal R/o Village - Purani Nandgola,
Ward No. 15, P.S. Tikapatti, District - Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-04-2022 Heard the parties through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with Tikapatti P.S. Case No.86 of 2021, registered for the offence punishable under sections 272, 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2018.

Altogether, 135 litres of foreign liquor is said to have been recovered from the eastern side of the house of petitioner.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case merely on



suspicion. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no concern either with the seized liquor or any trade of liquor. The said recovery is said to have been made from the house of the petitioner but the same is a joint family property and the recovery was made from outside of the house. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

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

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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