

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60979 of 2022

Arising Out of PS. Case No.-669 Year-2022 Thana- NAGAR District- Vaishali

NITISH KUMAR Son of Lalinger Singh @ Lalindra Singh @ Nagendra
Singh Resident of village- Minapur, P.S- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mrs. Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2022 Heard the parties through virtual court proceedings.

Petitioner apprehends his arrest in connection with
Hajippur Town P.S. Case no.669 of 2022, registered for the
offence punishable u/s 30(a) of the Bihar Prohibition and Excise
Amended Act.

Altogether 48.420 litres of foreign liquor is said to have
been recovered from the house of co-accused Lalindra Singh.
After seeing police, two persons tried to flee away from the
house out of which one was caught. The apprehended person
disclosed the name 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. His name transpired in this case on



the basis of the statement of apprehended co-accused. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for grant of anticipatory bail and submits that the said illicit liquor has been recovered from the house of Lalindra Singh, who is the father of the petitioner.

Having regards to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on behalf of the petitioner is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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