

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72305 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- RUPASPUR District- Patna

MAHESH BIND S/O YOGENDRA BIND R/o village- Rasulibigha, P.S.-
Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-07-2022 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 stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

Altogether 10 litres of foreign liquor and 50 litres of country made liquor is said to have been recovered from the hut of the petitioner. One of the apprehended accused disclosed the name of petitioner, who fled away from the spot.

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 merely on suspicion. His name transpired in this case only on the confessional statement of the 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. The said place of recovery does not belong to the petitioner. Petitioner has one criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the hut of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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