

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62128 of 2022

Arising Out of PS. Case No.-587 Year-2021 Thana- KANTI District- Muzaffarpur

Md. Uvaish Son Of Dulha Resident Of Village- Shahpur Dasar, P.S.-
Pakwara, District- Sambhal, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 2632.320 liters of foreign liquor is said to have recovered from the container. He submits that the petitioner has been implicated in the present case just because he is the owner of the container. Petitioner is completely unaware regarding misuse of his vehicle as well as the person who misused the vehicle. He further submits that petitioner has no criminal antecedent as stated in para-3 of the



bail application.

However, learned APP for the State opposes the prayer for bail and submits that petitioner is the owner of the container which was stated to be used for delivery of illegal liquor.

Considering the facts and circumstance of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Kanti P.S. Case No. 587 of 2021.

(Anjani Kumar Sharan, J)

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