

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70372 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- DAWATH District- Rohtas

BHOLU DOM @ BHULU RAM S/o Daroga Dom R/v- Semari, Paswan Tola,
P.S.- Dawath, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard the parties through virtual court proceedings.

Petitioner apprehends his arrest in connection with Dawath P.S. Case No.117 of 2022, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Altogether 5 litres of foreign liquor is said to have been recovered from house 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 that he is the owner of the said house. 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. Although the house belongs to the petitioner but the same is a joint house of other family members of the house. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Having regard to the facts and circumstances of the case, as the recovery has been made from the house of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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