

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4672 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- KARAMCHAT District- Kaimur (Bhabua)

BHUWAR CHAUDHARY @ JITENDRA CHAUDHARY Son of Ramnath
Chaudhary R/V- Shivpur, PS- Karamchat, Dist- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) (d) & 36 of the Bihar Prohibition and Excise Amendment Act, 2018.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 494 liters of country made liquor, some apparatus for brewing liquor and 1870 kgs of rotten throat mahua is said to have been recovered near Durgawati river. After seeing the police party, the petitioner and other accused managed to escape from the place of occurrence. He has no concern either with the seized



liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. There is violation of 100 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the prayer for bail submitted that huge quantity of liquor and the raw material for brewing liquor has been recovered from the place of occurrence, hence the petitioner does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, huge recovery of liquor, apparatus for brewing liquor and 1870 kgs of rotten throat mahua, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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