

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38010 of 2023

Arising Out of PS. Case No.-255 Year-2023 Thana- CHANPATIA District- West Champaran

ANJANI YADAV Son of Late Daroga Yadav Resident of village - Sonwariya,
P.S. - Chanpatia (Sirisiya O.P.), Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Chanpatia (Sirisiya) P.S. F.I.R. No.255 of 2023, registered for
the offences punishable u/s 30 (a) of Bihar Prohibition and
Excise Amendment Act, 2016 and Sections 272, 273 of the
India Penal Code.

3. Altogether 13.600 liters of country made liquor is said to
have been recovered from the shop of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or any trade of liquor. He has been falsely



implicated in this case at the instance of his enemy. He was not apprehended on the spot and his name transpired in the case only on the basis of secret information. He submits that the alleged recovery has been made from the grocery shop of the petitioner which runs in the hut made up of bamboo and straw and the petitioner has no concern with it. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for grant of bail.

6. Having regard to the facts and circumstances of the case, as the recovery has been made from the shop 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.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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