

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38150 of 2023

Arising Out of PS. Case No.-93 Year-2023 Thana- JAGDISHPUR District- Bhojpur

SHUBHAM KUMAR Son of Kushal Singh Residence of Ranfua Andheri
(147), Sirmaur, P.S. - Sangadah 173023

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawaz Shareef

For the Opposite Party/s: Mrs. Madhuri Lata

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 a case registered for the offences punishable u/s 272, 273, 419, 420, 34 of the IPC and 30 (a)/32(i)(ii)/41(i)(ii) of Bihar Prohibition and Ex-cise Amendment Act, 2018.

3. Altogether 781.455 liters of illicit liquor is said to have been recovered from a truck. The driver and two other persons were apprehended on the spot.

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 that the petitioner is the owner of the said truck. 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 truck of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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