

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41227 of 2023**

Arising Out of PS. Case No.-84 Year-2023 Thana- BENIPATTI District- Madhubani

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DHARMENDRA KUMAR YADAV S/O GANGA PRASAD YADAV R/O  
Village- Salha, P.S- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Arun Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      18-08-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Benipatti P.S. Case No.84 of 2023, registered for the offences punishable u/s 272, 273 of IPC and 30 (a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Altogether 54 liters of Nepali liquor is said to have been recovered from the house 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. Petitioner has one 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 house of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

**(Anjani Kumar Sharan, J)**

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