

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39876 of 2020

Arising Out of PS. Case No.-250 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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ROHIT KUMAR Son of Bindeshwar Singh @ Videshwar Singh Resident of
Village - Iniyar, Ward No.10, near kali Temple, P.S.- Muffasil, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove
the defect (s) within four weeks.

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

Altogether 4007.52 liters foreign liquor has been
recovered from different vehicles. Petitioner is said to have fled
away from the spot due to darkness.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
incriminating article has been recovered from the conscious
physical possession of the petitioner rather alleged foreign



liquor is said to have been recovered from different vehicles. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. He is neither the owner nor the driver of the alleged vehicles. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case merely on suspicion. He was not apprehended on the spot. He had not consumed liquor. There is nothing on record to indicate the complicity of the petitioner. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the bail application and submits that petitioner is the member of the syndicate, which is involved in illicit liquor business.

Having regard to the facts and circumstances of the case, as there is huge recovery of liquor, 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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