

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51074 of 2023

Arising Out of PS. Case No.-195 Year-2023 Thana- ROH District- Nawada

=====

UMESH CHAUDHARY Son of Kailash Chaudhary Resident of village -
Kumhaewan, Post - Jhakhori, P.S. - Roh, Distt. - Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saurav Barial

For the Opposite Party/s: Mrs. Indu Kumari Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with
Roh P.S. Case No.195 of 2023, registered for the offences pun-
ishable u/s 30 (a) of Bihar Liquor Prohibition and Excise
Amendment Act, 2016.

3. Altogether 20 liters of country made liquor is said to
have been recovered from the hut 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 that the recovery has been made from the hut of the petitioner but the said hut is a joint property in which his family members also resides. Petitioner has no criminal antecedent.

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

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

shikha/-

U		T	
---	--	---	--

