

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51978 of 2023

Arising Out of PS. Case No.-512 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Bazi Yadav @ Ajay Kumar, Son of Ramchandra Yadav @ Lulha Yadav,
Resident of Village- Santar, P.S.- Lakhisarai, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 512 of 2022 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case at the instance of mischief of locality. He submits that the petitioner was not present at the spot. He submits that there is no recovery from the conscious possession of this petitioner rather 13.200 litres of country-made foreign liquor is said to have been recovered from the house of this petitioner. He submits that the allegation against this petitioner is that he managed to fled away



from the place of occurrence. He submits that there is no independent witness of the search and seizure of the alleged liquor and there is absolute violence of provisions of Section 100 of Cr.P.C. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

4. Having regard to the facts and circumstances of the case, recovery of liquor from the house of the petitioner and his criminal antecedents, I am not inclined to enlarge him on anticipatory bail.

5. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J.)

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