

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72583 of 2022**

Arising Out of PS. Case No.-862 Year-2022 Thana- BARACHATTI District- Gaya

JITENDRA CHAUDHARY @ JITENDRA KUMAR S/o Late Mangru  
Chaudhary R/o Village- Gobaria, P.S.- Barachatti, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh  
For the Opposite Party/s : Mr. Binod Kumar

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

2      13-01-2023              Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No.862 of 2022, registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

Altogether 5 liters of country made liquor is said to have been recovered from the house of the petitioner.

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 he is owner of the said house from where the recovery has been made. He further submits that the said house is a joint house of the whole family members of the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

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 the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

**(Anjani Kumar Sharan, J)**

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