

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4679 of 2024

Arising Out of PS. Case No.-639 Year-2023 Thana- CIVIL LINE District- Gaya

SIKANDAR CHAUDHARY SON OF RAGHUNATH CHAUDHARY
RESIDENT OF MOHALLA - SAMIR TAKIYA, DURGA ASTHAN,
POLICE STATION - CIVIL LINE, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with Civil Line P.S. Case No.639 of 2023, registered for the offences punishable u/s 30(a)/37 of Bihar Prohibition Excise Amendment Act, 2016.

3. Altogether 2 litres of country made liquor is said to have been recovered from the house of the petitioner and three persons were apprehended from the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. 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 was not apprehended on the spot and his name transpired in the case on the basis that from his house, recovery has been made but the said house is a joint house of the petitioner. Petitioner has three criminal antecedent in similar nature of offence.

5. Having regard to the facts and circumstances of the case and considering that the recovery has been made from the house of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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