

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52323 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- Sonki District- Darbhanga

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Dinesh Mukhiya son of Tetar Mukhiya Village- Mekna Ps- Sonaki Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with Sonaki P.S. Case No.09 of 2024, registered for the offences punishable u/s 30(a) of Bihar Prohibition Excise (Amendment) Act, 2022.

3. Altogether 15 litres of country made liquor is said to have been recovered from the husk house of the petitioner.

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. Petitioner has no concern from the said place from where liquor has been recovered. There is no compliance of section 100 of the Cr.P.C. Petitioner has four 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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