

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69826 of 2023

Arising Out of PS. Case No.-1553 Year-2023 Thana- Excise P.S. District- Muzaffarpur

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SOHAN PRASAD @ SOHAN MAHTO INDRADEV MAHTO @
INDRADEV PRASAD VILLAGE- SHYAMPUR BHOJ @ SHYAMPURA
BHOJA, PS- PANAPUR O.P.(KANTI), DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No.1553 of 2023, registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Amendment Act, 2016.

3. Altogether 135 liters of foreign 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 said recovery has been made from the hut situated on the field of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for grant of 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 anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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