

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82164 of 2024

Arising Out of PS. Case No.-1050 Year-2024 Thana- Excise P.S. District- Aurangabad

Shambhu Kumar S/O Lalan Yadav Resident of Village Badari Bigha, P.S -
Fesar, Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No.1050 of 2024, registered for the offences punishable u/s 30(a)/30(c) of Bihar Prohibition and Excise Amendment Act.

3. Altogether 175 litres of spirit and 1000 empty bottle of 180 ml are said to have been recovered from a poultry farm. On seeing the police, two persons fled away from place of occurrence.

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 of suspicion. The poultry farm from where the alleged recovery took place does not belong to the petitioner. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Having regard to the facts and circumstances of the case and nature of allegation, 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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