

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83625 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- RUDRAPUR District- Madhubani

NITISH YADAV @ NITISH KUMAR YADAV SON OF BHAIKAV YADAV
R/O VILLAGE- KARANPUR, P.S.- RUDRAPUR, DIST.- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rudrapur P.S. Case No.86 of 2023, registered for the offences punishable u/s 272, 273 of the IPC and 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Altogether 31.200 litres of Nepali liquor is said to have been recovered from the courtyard of the 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 and his name transpired in the case on the basis that from the courtyard of his house, recovery of liquor has been made but the said house is a joint house of the petitioner and the courtyard is open and accessible to anyone. Petitioner has no criminal antecedent.

5. Having regard to the facts and circumstances of the case and considering that the recovery has been made from the courtyard 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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