

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3453 of 2024

Arising Out of PS. Case No.-523 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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DILSHER KUMAR S/O MUKHI RAI RESIDENT OF VILLAGE -
TIKULIYA, P.S.-MUFFASIL MOTIHARI, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra
For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Motihari Muffasil P.S. Case No.523 of 2023, registered for the offences punishable u/s 30(a), 32, 41(i) of the Bihar Excise Prohibition Act, 2018 and 8/20 (b)(ii)(C), 23, 25 and 29 of the N.D.P.S. Act.

3. Altogether 250 litres of spirit and 1.5 Kg of 'Charas' is said to have been recovered from a vehicle and driver of the said vehicle was apprehended, who disclosed that petitioner and his father are also involved in this business.

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 spirit or the contra band article. He was not apprehended on the spot and his name transpired in the case on the statement of the co-accused. Petitioner has one criminal antecedent.

5. Having regard to the facts and circumstances of the case and considering the 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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