

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47839 of 2019

Arising Out of PS. Case No.-239 Year-2019 Thana- ISLAMPUR District- Nalanda

1. Manoranjan Prasad, S/o Prasadi Garai Resident of Village- Korma, P.S.- Islampur, District- Nalanda
2. Sujit Kumar S/o Manoranjan Prasad Resident of Village- Korma, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Islampur P.S. Case No.239 of 2019, G.R. No.2973 of 2019, for the offence punishable under Section 30(a) of Bihar Excise (Prohibition) Amendment Act, 2016.

The allegation against the petitioners as per FIR is that police, upon search of alto car of the petitioners bearing Registration No.WB-20H-1213, has recovered a total quantity of 15.390 litres of illicit liquor.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this



case on the basis of concocted story. He further submits that the petitioners had parked their car near the road side and police, upon taking advantage of the same, has implicated these petitioners in the present case.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the alto car, from which the illicit liquor has been recovered, belong to the petitioners, accordingly, in view of Full Bench judgment passed in **Cr. Appeal (SJ) No.431 of 2019**, I am not inclined to exercise my discretion under Section 438 of Cr.P.C. As such the present anticipatory bail application is hereby rejected.

(Anil Kumar Sinha, J)

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