

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48677 of 2019

Arising Out of PS. Case No.-221 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. Ram Babu, Son of Gariban Yadav, Resident of Village - Masarh Tola, P.S.- Udwanthnagar, District- Bhojpur (Ara)
2. Lalan Yadav, Son of Late Nunu Yadav, Resident of Village - Masarh Tola, P.S.- Udwanthnagar, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-08-2019 This is an application for grant of anticipatory bail in connection with Udwanthnagar P.S. Case No. 221 of 2019, disclosing offences under Sections 30(a) and 30(D) of the Bihar Prohibition and Excise Act, 2016.

F.I.R. disclosed that on information of manufacturing the liquor, police party raided the place of occurrence, but the accused persons succeeded in fleeing away from the spot and they have identified by the local Chowkidar including the petitioners. It further appears that several articles of manufacturing of liquor were recovered. Apart from that, 980 liters of country made liquor and 2000 kg of Jawa Mahua flower were recovered.

Submission of the learned counsel for the petitioners



is that nothing has been recovered from their house or from their conscious possession and they have no criminal antecedent.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the petitioner on the ground that huge quantity of articles of manufacturing the country made liquor have been recovered and the names of the petitioners were disclosed by the local Chowkidar of the village and they have named in the F.I.R.

Having heard both sides, in view of the allegation and the quantity of the liquor and articles of manufacturing the country made liquor was recovered, I am not inclined to grant privilege of anticipatory bail to the petitioners. However, they may surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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