

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12936 of 2020

Arising out of PS. Case No.-567 Year-2019 Thana- MINAPUR District- Muzaffarpur

Ram Babu Sahni, aged about 45 years (Male), S/o Late Dewaki Sahni R/o village- Raghobpur, P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Punam Shrivastava, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 12-10-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Ms. Punam Shrivastava, learned counsel for the petitioner and Mr. Ajay Kumar No. 2, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Minapur PS Case No. 567 of 2019 dated 07.11.2019, instituted under Sections 272 and 273, 34 of the Indian Penal Code and Sections 30(A), 38(i) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner is that he along with others was indulging in trade of illicit liquor and from the



banana field in front of his house there has been recovery of huge quantity of illicit liquor.

5. Learned counsel for the petitioner submitted that the recovery has not been made from the house of the petitioner. It was further submitted that the petitioner is a poor man being a farmer and due to the high-handedness of the police and dirty village politics he has been made accused.

6. Learned APP submitted that there was direct information about the petitioner and others indulging in such illegal activity and when the police went to raid the house of the petitioner, 4-5 persons ran away and in front of the house of the petitioner from the banana field there has been recovery of illicit liquor in huge quantity. It was further submitted that 45 litres of English wine, 135 litres of spirit and 90 pieces cork of Mac Dowel whisky had been recovered which clearly shows that they were manufacturing illicit liquor and also branding them fraudulently into bottles having mark of a well-known brand. It was submitted that the petitioner is accused in two other cases of similar nature indicating that he has no respect for law and is repeatedly indulging in such activities.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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