

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80454 of 2019

Arising Out of PS. Case No.-180 Year-2019 Thana- PARAIYA District- Gaya

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1. Tunnu Yadav, aged about 22 years (Male) Son of Ramprit Yadav Resident of Village- Awadhpur, P.S.- Paraiya, District- Gaya.
 2. Munna Yadav, aged about 26 years (Male) Son of Ramprit Yadav Resident of Village- Awadhpur, P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 07-01-2020

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Paraiya PS Case No. 180 of 2019 dated 24.10.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioners and others is of dealing in illicit liquor.

4. Learned counsel for the petitioners submitted that they are brothers and have been falsely implicated by their cousin due to family dispute. It was further submitted that the public is said to have taken the name of the petitioners without there being any evidence to such effect. It was submitted that



the petitioners are innocent and do not indulge in such activity. Learned counsel also submitted that the petitioners have no criminal antecedent.

5. Learned APP submitted that in the FIR, the details have been given in the manner in which the petitioners operated and they were the persons who used to get the illicit liquor from Jharkhand and distributed it in the State of Bihar. It was further submitted that in the FIR itself it has been stated that the petitioners along with another person had returned to the place where one person was caught by the public and they tried to free him but when the villagers started assembling they had run away leaving their motorcycle and sack from which the illicit liquor has been recovered.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer for anticipatory bail to the petitioners.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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