

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17038 of 2021**

Arising Out of PS. Case No.-307 Year-2020 Thana- PALIGANJ District- Patna

CHHABILA PANDIT @ CHHABILAL PANDIT @ CHHABILA PANDEY
@ RAM CHHABILAL PANDEY Son of Late Naurang Pandit @ Naurang
Pandey Resident of Village- Idilpur, P.S.- Paliganj, District- Patna and at
present owner of Rohit Engineering Workshop, Village- Bibipur, P.S.-
Paliganj, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh
For the Opposite Party/s : Mr.A.PP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 10-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Paliganj P.S. Case no. 307 of 2020 instituted for the
offence punishable under Sections 30(a) of the Bihar Prohibition
an Excise Act, 2016.

As per allegation in the FIR, police party has received
a secret information that wine was going to be served in the
occasion of Vishwakarma Puja in Rohit Engineering Workshop.
The police party reached there and apprehended five persons
and recovered 375 ml. IMFL. Accordingly, an FIR was



registered against these apprehended five persons along with the petitioner, who is the owner of the workshop.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that petitioner is registered owner of the alleged workshop, from where recovery of illicit liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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