

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35332 of 2020

Arising Out of PS. Case No.-92 Year-2020 Thana- SARAI RANJAN District- Samastipur

1. Ganesh Puri Son of Mohril Puri Resident of Village-Raipur Buzurg, P.S.- Sarairanjan, District-Samastipur.
2. Mithun Puri @ Mithun Kumar Puri S/o Ramashish Puri Resident of Village-Raipur Buzurg, P.S.-Sarairanjan, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-06-2021 The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.1, Ganesh Puri, who has already been arrested.

Prayer is allowed.

The anticipatory bail petition of petitioner No.1 is dismissed as withdrawn.

Heard both sides.

The petitioner No.2, Mithun Puri @ Mithun Kumar Puri, apprehends his arrest in Sarairanjan PS case No. 92/2020 registered under Section 30(a) of the Bihar Prohibition & Excise Act.

The S.I., Sarairanjan alleged that he got information



that petitioners are indulged in selling illicit liquor by stacking the same in the house of Sirya Mam. The house was searched and 29.10 liters of liquor was recovered.

The learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner but it appears that petitioner has got criminal antecedent and he is also accused in one of the cases registered under different Sections of the Excise Act.

Taking into consideration the fact that the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner No.2 on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below the learned court below shall consider the prayer for regular bail of the petitioner on merits without being prejudiced from the order of this court and dispose of the bail petition, preferably, if possible, on the same date.

(Prabhat Kumar Jha, J)

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