

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37920 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- PIYAR District- Muzaffarpur

SHYAM JHA Son of Madhusudan Jha Resident of Village- Loma @ Looma,
P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-11-2021 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 Pear P.S. Case no. 116 of 2020 instituted for the offence punishable under Sections 272 and 273 of the Bihar Prohibition and Excise Act, 2016 and section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, during course of patrolling informant has received a secret information about storage of illicit liquor in a locked house of the petitioner. Police team reached there and on search, in presence of co-villagers, door was broken by them and a recovery of 481.950 litres IMFL has been made and, accordingly, a seizure list was



prepared.

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. In fact, co-accused Ranjit Thakur was care taker of the alleged house. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious physical 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 the alleged house belongs to the petitioner, from where recovery of illegal 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 shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

