

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7939 of 2022

Arising Out of PS. Case No.-631 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

ASHOK SAHANI Son of Gopal Sahani Resident of Village- Bhataha, P.S.-
Motihari Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-07-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a), 32, 41(1) of the Bihar Prohibition and Excise Act.

Altogether 5 litres of country made liquor has been recovered from the hut of the petitioner and from a hut, 2000 litres of contaminated desi liquor was recovered, which was later on destroyed.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged



in the FIR. Petitioner has been falsely implicated in this case due to village politics and enmity. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Petitioner has no concern with the said hut from where recovery has been made. In fact the recovery was made from near the river and mango orchard of on Jhingu Ray. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that huge quantity of country made liquor and liquor making materials has been seized by the police and petitioner, who is a member of the syndicate involved in manufacture of illicit liquor has fled away from the spot.

Considering that the petitioner is the member of the syndicate of manufacturing liquor, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

