

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13878 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- AMAS District- Gaya

1. Udit Bhuiyan Son Of Maandev Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya
2. Rammurat Bhuiyan Son Of Baliram Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya
3. Ramashray Bhuiyan Son Of Baliram Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya
4. Anil Bhuiyan Son Of Baliram Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya
5. Anda Bhuiyan @ Pukar Bhuiyan @ Anda Manjhi @ Pukar Manjhi Son Of Baliram Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya
6. Brajesh Bhuiyan Son Of Late Rameshwar Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya
7. Raju Bhuiyan @ Jhariman Bhuiyan @ Kariman Bhuiyan R/O Village- Raja Bigha, P.S.- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 At the outset, counsel for petitioners seeks permission to withdraw the anticipatory bail application with regard to Anda Bhuiyan @ Pukar Bhuiyan @ Anda Manjhi @ Pukar Manjhi petitioner no. 5, as during pendency of this case, petitioner no. 5 has already been arrested.

Permission be accorded. The anticipatory bail application of Anda Bhuiyan petitioner no. 5 is dismissed as withdrawn having become infructuous.



Heard learned counsel for the petitioner nos. 1, 2, 3, 4, 6 and 7 and learned A.P.P for the State.

The petitioners apprehend their arrest in Amas P.S. Case No. 308 of 2021, registered for the offence punishable under Section 30(a), (d) of the Bihar Prohibition and Excise Act, 2018.

150 litres of Mahua liquor has been recovered from the brewery (*Bhatti*) of these petitioners.

It is submitted that petitioners have falsely been implicated in this case. Nothing has been recovered from conscious possession of petitioners. Petitioners have got clean antecedent, as stated in para 3 of the petition.

Counsel for the State vehemently opposed the bail application and submitted that recovery has been made from the brewery (*Bhatti*) of these petitioners.

Considering the aforesaid facts, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected in view of the provision 76(2) of the Bihar Prohibition and Excise Act.

(Prabhat Kumar Singh, J)

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