

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21582 of 2022

Arising Out of PS. Case No.-541 Year-2021 Thana- JAGDISHPUR District- Bhojpur

1. SANTOSH KUMAR S/o Birja Yadav R/o village- Narayanpur, P.S.- Jagdishpur, District- Bhojpur
2. Birendra Singh @ Birendra Yadav S/o Dadan Yadav R/o village- Narayanpur, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioners 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.

Petitioners apprehend their arrest in connection with Jagdishpur P.S. Case No.541 of 2021, registered for the offence punishable u/s 30(c), 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Altogether 700 litres of Mahua is said to have been recovered and destroyed by the police. Further five litres country made liquor and other article used in preparation of



liquor was recovered from the North and South bank of river Chher.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the basis of information that they are the members of the syndicate involved in manufacturing of liquor. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. They have no concern with the place of recovery. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since the petitioners are involved in the syndicate of manufacturing and trade of liquor, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail on their behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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