

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26102 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- VIJAYEPUR District- Gopalganj

1. SUGANTI DEVI W/o Subash Gond R/o village- Matiyari, P.S.- Vijaipur, District- Gopalganj
2. Kiran Devi W/o Ramchandra Gond R/o village- Raipura, P.S.- Kateya, District- Gopalganj
3. Sunita Devi W/o Guddu Gond R/o village- Kurthhiya, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-09-2022 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 undertaken 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 302/328/120(B) of IPC and u/s 44 of Bihar Prohibition and Excise Amendment Act, 2018.

Allegedly, some persons including the petitioners were



selling poisonous liquor near a Brick Kiln of one Narsingh Sah. On taking the poisonous liquor, some of them complained of loss of eye sights or other symptoms and on admission to hospital, some of them who had consumed the liquor, died. The FSL report of visceral organ of deceased also detected presence of methyl alcohol and ethyl alcohol. The name of the petitioners transpired in the case on the confessional statement of co-accused.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated in this case due to ulterior motive. Their names transpired in the case because of suspicion. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioners have no concern either with the seized liquor or any trade of liquor. Petitioners have one criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for grant of anticipatory bail and submits that the petitioners are member of syndicate involved in the selling and purchasing of illicit liquor.



Considering the aforesaid facts and circumstances, since the petitioners are member of syndicate involved in the selling and purchasing of illicit liquor, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail on their behalf is hereby reject.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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