

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27860 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- KATRA District- Muzaffarpur

1. BALBODH RAI S/o Late Nand Kishore Rai R/o village- Mehsautha, Tole Bathaul, P.S.- Nanpur, District- Sitamarhi
2. Ram Balak Rai S/o Late Nand Kishore Rai R/o village- Mehsautha, Tole Bathaul, P.S.- Nanpur, District- Sitamarhi
3. Praveen Kumar S/o Late Nand Kishore Rai R/o village- Mehsautha, Tole Bathaul, P.S.- Nanpur, District- Sitamarhi

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehends their arrest in a case registered for the offences punishable under Section 30 (a), 30 (c), 32 & 41 (i) of the Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered



from the conscious physical possession of the petitioners rather 20 liters of country made liquor along with several utensils and apparatus is said to have been recovered from the place of occurrence. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case at the instance of their enemy. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the prayer for bail submitted that petitioners are indulged in manufacturing and selling of country made liquor. Hence, they do not deserve anticipatory bail.

Having regard to the facts and circumstances of the case as well as the fact that the petitioners are involved in manufacturing and selling of country made liquor, I am not inclined to enlarge them on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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