

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38861 of 2021

Arising Out of PS. Case No.-207 Year-2012 Thana- MOTIPUR District- Muzaffarpur

ANIL RAI S/o Sukhdeo Rai Resident of Village- Juneda, P.S.- Motipur, Dist-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Motipur P.S. Case no. 207 of 2012 instituted for the offence punishable under Section 47(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 140 litres spirit, raw material for preparing the liquor, from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating



article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of spirit has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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