

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30612 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- GANGABRIDGE District- Vaishali

BAHADUR RAY @ BAHADUR RAI S/o Harinan Ray @ Harinanan Rai
Resident of Village- Diwanth, P.S.- Gangabridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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 stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for the offence punishable under section 30(a) and 30(c) of Bihar Prohibition and Excise Act, 2018.

Altogether, 30 liter country made liquor, one aluminum pipe and other articles and 7000/- jawa is said to have been recovered from the place of occurrence. The allegation against the petitioner is that he and other co-accused persons, after seeing police fled away from the spot.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to secret information. Petitioner has neither been apprehended on the spot nor any incriminating articles has been recovered from his conscious possession. Petitioner has no concern with the recovered liquor. The spot from where the recovery has been made does not belongs to the petitioner. Petitioner has one criminal antecedent of similar nature, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is a member of syndicate involved in the manufacturing of illicit liquor.

Having regard to the facts and circumstances of the case, since the petitioner is a member of syndicate involved in manufacturing of illicit liquor, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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