

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31133 of 2022**

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

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DHARMENDRA KUMAR @ DHARMENDRA RAY Son of Birchandra Ray
Resident of Village-Diwantok, P.S.-Ganga Bridge, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 13-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor 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 apprehends his arrest in connection with Ganga Bridge P.S. Case No.138 of 2021, registered for the offence punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act, 2018.

Allegedly 30 litres of country made liquor, four thick and long aluminium pipes of 4 inches and 7000 litres of raw Java is said to have been recovered from the '*Bhatthi*' of the petitioner and one Bahadur Ray. It is alleged that petitioner and other



accused fled away from the spot on seeing the police.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has not been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has been made accused in this case on the basis that he is owner of the said '*Bhatthi*'. He has no concern with the recovery of the illicit liquor or any trade of liquor. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is a member of syndicate involved in manufacturing of liquor.

Having regard to the facts and circumstances of the case, since the since petitioner is alleged to be a member of syndicate involved in manufacture of liquor, I am not inclined to enlarge him on bail. 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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