

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46315 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- RUPAULI District- Purnia

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BINDESHWARI URAON @ INDESHWARI URAON Son of Late Hardeo
Uraon Resident of Village- Basantpur (Adiwasi Tola), Ward No.06, P.S.-
Rupauli, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-03-2022 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 Rupauli P.S. Case no. 85 of 2021 instituted for the offence
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 4 litres country
made wine from the courtyard of the petitioner's house.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely
implicated in this case. The alleged house is a joint property. 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 illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below keeping in mind that the quantity of recovery is very meager.

(Sunil Kumar Panwar, J)

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