

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37424 of 2022

Arising Out of PS. Case No.-369 Year-2020 Thana- BARH District- Patna

Sahdeo Ray Son Of Singeshwar Ray Resident Of Village-West Malahi, P.S.-
Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46319 of 2022

Arising Out of PS. Case No.-369 Year-2020 Thana- BARH District- Patna

Nagina Rai S/O Late Jaddu Rai Resident Of Village- Pachhiyari Malahi, P.S.-
Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37424 of 2022)

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

(In CRIMINAL MISCELLANEOUS No. 46319 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Kashyap

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Section 30(a)/32 of
the Bihar Prohibition and Excise Act.



Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 277 liters of country made liquor, huge quantity of Jawa Mahua, punching machine and other articles are said to have recovered from the place of occurrence. He submits that the apprehended person disclosed the name of the petitioners and other co-accused person. He submits that the similarly situated co-accused has already been granted anticipatory bail by coordinate Bench of this Court. He further submits that petitioner in Cr. Misc. No. 37424 of 2022 has one criminal antecedent and petitioner in Cr. Misc. No. 46319 of 2022 has no criminal antecedent as stated in para-3 of the bail application.

Considering the facts and circumstance of the case and the fact that the petitioners are the members of the syndicate who indulged in manufacturing the illicit liquor, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Barh P.S. Case No. 369 of 2020.

(Anjani Kumar Sharan, J)

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