

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47736 of 2022**

Arising Out of PS. Case No.-311 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

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MUNNA SINGH S/o Bhukhan Singh R/o village- Asani, P.S.- Udwanntnagar,  
District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 47916 of 2022**

Arising Out of PS. Case No.-311 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

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1. SANTOSH KUMAR @ SANTOSH SINGH Son of Babudhan Singh  
Resident of Village - Asani, P.s.- Udwanntnagar, District- Bhojpur, (Ara).
2. Umesh Singh Son of Manoj Singh Resident of Village - Asani, P.s.-  
Udwanntnagar, District- Bhojpur, (Ara).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 47736 of 2022)

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Gulnar Begum

(In CRIMINAL MISCELLANEOUS No. 47916 of 2022)

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Gulnar Begum

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

2      04-11-2022                      Learned counsel for the petitioners submits that the  
  
petitioner no.2 in Criminal Miscellaneous No. 47916 of 2022  
  
has been arrested by the Police therefore, he seeks permission to  
  
withdraw the application with regard to petitioner no.2 in  
  
Criminal Miscellaneous No. 47916 of 2022.



Permission is granted.

Heard learned counsel for the petitioners and learned APP for the State for consideration of bail with regard to rest of the petitioners.

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) 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 40 litres of country made liquor is said to have recovered from the place of occurrence and the Police has also destroyed two bhatthi from the place of occurrence. He submits that allegation against the petitioners is that they managed to ran away from the place of occurrence. He further submits that petitioner in criminal miscellaneous no.47736 of 2022 have two criminal antecedents in similar nature and petitioner in criminal miscellaneous no.47916 of



2022 have no criminal antecedent as stated in para-3 of the bail application.

Considering the facts and circumstance of the case and the fact that petitioners are the member of the syndicate who manufacturing the illicit liquor, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Udwantnagar P.S. Case No. 311 of 2022. Accordingly, their prayer for anticipatory bail is hereby rejected.

**(Anjani Kumar Sharan, J)**

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