

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51261 of 2022

Arising Out of PS. Case No.-599 Year-2021 Thana- SONEPUR District- Saran

VIDHAN KUMAR @ VIDHAN RAI S/o Late Krishna Ray R/o Village-
Sabalpur Pachhiyari Tola, P.S.- Sonepur, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-12-2022 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 Sonepur P.S. Case no. 599 of 2021 instituted for the offence punishable under Sections 30(a), 30(d) and 47 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 900 litres country made wine from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. The alleged recovery has been made from the joint house and petitioner is living separately from his full brothers namely, Mukesh Kumar Rai and Pramod Kumar of



the petitioner. 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 huge quantity of illicit liquor has been recovered from the house of 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 on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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