

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61864 of 2021

Arising Out of PS. Case No.-383 Year-2021 Thana- KATIHAR NAGAR District- Katihar

1. RAVI KUMAR @ RAJ KUMAR DAS Son of Late Shyam Lal Das R/O- Driver Tola, Ward No.- 16, P.S.- Katihar Town, Distt.- Katihar
2. Sumit Mandal Son of Suresh Mandal R/O- Baigna, Ward No.- 24, P.S.- Katihar Town, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-03-2022 Heard the parties through virtual Court proceedings.

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

Petitioners apprehend their arrest in connection with Katihar Nagar P.S. Case No.383 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 10 litres of country made liquor is said to have been recovered from the house of the petitioners.

Learned counsel for the petitioner submits that petitioners



are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated in this case due to dirty village politics. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. Petitioners have no concern either with the seized liquor or any trade of liquor. The recovery is said to have been made from the houses of the petitioners but they have no knowledge about the recovery of liquor in their house. There is no compliance of section 100 of the Cr.P.C. Petitioners have no criminal antecedent, as also mentioned in para-3 of this application.

Considering the aforesaid facts and circumstances, since the recovery has been made from the house of the petitioners, I am not inclined to grant anticipatory bail to the petitioners.

The prayer for bail is rejected and accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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