

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51615 of 2022

Arising Out of PS. Case No.-295 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. PRAMOD SAHANI S/o Hardev Sahani Resident of Village- Dumariya, P.S.- Minapur, District- Muzaffarpur.
2. Baid Nath Sahani S/o Late Sukhdev Sahani Resident of Village- Dumariya, P.S.- Minapur, District- Muzaffarpur.
3. Manoj Sahani S/o Ram Chandra Sahani Resident of Village- Dumariya, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioners as well as learned APP for the State through virtual court proceedings.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 272, 273/34 of IPC and section 30(a)/41 of the Bihar Prohibition and Excise Act.

Altogether two aluminum utensils, one small drum of steel, three small drums of plastic containing about 250 liters of mahua and jaggery solution is said to have been recovered from



the spot.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the basis of the secret information. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. The recovery has been made from a open place and not from a private place. Petitioner no.1 has three criminal antecedent and petitioner nos.2 and 3 have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP opposed the prayer for grant of anticipatory bail and submits that the petitioners are a member of syndicate involved in the manufacturing of illicit liquor.

Having regards to the facts and circumstances of the case, since the petitioners are a member of syndicate involved in the manufacturing of illicit liquor, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.



Accordingly, this application is dismissed

(Anjani Kumar Sharan, J)

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