

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51418 of 2022

Arising Out of PS. Case No.-282 Year-2021 Thana- RAGHOPUR District- Vaishali

NAVAL RAI @ NAVAL KUMAR S/O MAHINDRA RAY Resident of
village- Mallikpur, P.S.- Raghobpur, District- Vaishali At present of Khajekalan
School, Patna City post Jhauganj, Ranipur Milki Chowk, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni
For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard the parties through virtual court proceedings.

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

Petitioner apprehends his arrest in connection with a case
registered for the offence punishable u/s 272, 273/34 of IPC and
section 30(a)(b)(c)(d) of the Bihar Prohibition and Excise Act,
2018.

Altogether 120 liters of country made liquor and four
equipment used in making wine is said to have been recovered
from the spot. The allegation against the petitioner is that after
seeing police, he fled away from the spot.

Learned counsel for the petitioner submits that petitioner
is quite innocent and has not committed any offence as alleged



in the FIR. Petitioner has been falsely implicated in this case at the instance of his enemies. His name transpired in this case on the basis of the secret information. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has 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 has one 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 petitioner is a member of syndicate involved in the manufacturing of illicit liquor.

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

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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