

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65120 of 2021

Arising Out of PS. Case No.-69 Year-2020 Thana- RAGHOPUR District- Vaishali

LALBABU RAI Son of Sajiban Rai Resident of Village - Jafrabad, P.s.-
Raghopur, Distt.- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner 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.

Petitioner apprehends his arrest in connection with Raghopur (Rustampur OP) P.S. Case No.69/2020, registered for the offence punishable under sections 414/34 of the IPC and sections 30(A)/D/41 of the Bihar Excise Amendment Act, 2018.

Altogether 60 liters of country made liquor is said to have been recovered from the place of occurrence. Allegation against the petitioner is that he is a member of the syndicate involved in manufacture of illicit liquor.



Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case only on suspicion. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has no concern either with the seized liquor or any trade of liquor or the place of recovery. The place of recovery does not belongs to the petitioner. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application and similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid facts and circumstances, since the allegation against the petitioner is of being a member of the syndicate involved in manufacture of illicit liquor, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of anticipatory bail on his behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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