

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58679 of 2022

Arising Out of PS. Case No.-605 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

1. BIRENDRA RAM Son of Late Bhagrasan Ram R/V- Makriyar, P.s- Dhanauti O.P Dist-Siwan.
2. Harendra Ram Son of Late Bhagrasan Ram R/V- Makriyar, P.s- Dhanauti O.P Dist-Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

15 litres of country made liquor has been recovered from the joint house of the petitioners. The petitioners are said to have fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no



criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from the conscious possession of the petitioners. It is also submitted that the petitioners are own brothers.

Learned APP for the State submits that illicit liquor has been recovered from the joint house of the petitioners, therefore, the petitioners do not deserve anticipatory bail.

Considering the fact that illicit liquor has been recovered from the joint house of the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Dhanauli (Muffasil) P.S. Case No.605 of 2021, pending in the court of learned Additional District and Sessions Judge-V-cum-Special Judge (Excise), Court No.2, Siwan.

(Anjani Kumar Sharan, J)

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