

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60042 of 2022**

Arising Out of PS. Case No.-21 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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DADAN SINGH @ DADAN YADAV SON OF LATE HARIHAR YADAV
@ LATE HARIHAR SINGH R/O VILLAGE- MASADH TOLA, P.S.-
UDWANT NAGAR (GAJRAJGANJ O.P.), DISTRICT- BHOJPUR AT ARA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 02-12-2022 Heard the parties through virtual court proceedings.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

30 liter of country made liquor and 200 liter mixture for preparing wine have been recovered from the bank of Banash river. Petitioner is managed to flee away.

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 statement of the two witnesses namely Sudama Kumar and Mahesh Yadav. 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 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 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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