

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60285 of 2022

Arising Out of PS. Case No.-481 Year-2022 Thana- MANER District- Patna

RAJ KUMAR NUTT @ RAJ KUMAR NAT S/o Late Umesh Nutt R/o Nutt Tola, Kazi Mohalla, P.S.- Maner, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60034 of 2022

Arising Out of PS. Case No.-481 Year-2022 Thana- MANER District- Patna

MALA DEVI Wife of Giddi Nutt @ Mukesh Nutt Resident of Nutt Tola, Kazi Mohalla, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60285 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar Singh

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

(In CRIMINAL MISCELLANEOUS No. 60034 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar 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.

The police has recovered 20 litres of illicit country made liquor and disposable glasses from the house of petitioner, Raj Kumar Nutt @ Raj Kumar Nat (Cr. Misc. No.60285 of 2022) and 10 litres of country made liquor and disposable glasses from



the house of petitioner, Mala Devi (Cr. Misc. No.60034 of 2022).

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioner Raj Kumar Nutt @ Raj Kumar Nat has got one criminal antecedent and petitioner Mala Devi has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that nothing has been recovered from the conscious possession of the petitioners. It is also submitted that there is no compliance of Section 100 Cr.P.C.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners by submitting that the illicit country made liquor has been recovered from the house of both the petitioners.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected in connection with Maner P.S. Case No.481 of 2022, pending in the court of learned Special Judge, Excise, Danapur, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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