

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71065 of 2022

Arising Out of PS. Case No.-231 Year-2020 Thana- PAROO District- Muzaffarpur

1. MAHESH KUMAR @ MAHESH ROY Son of Gena Lal Rai R/v-
Damodarpur, P.S.- Paru, District- Muzaffarpur
2. DINESH ROY Son of Yogendra Yadav R/v- Damodarpur, P.S.- Paru,
District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard the parties through virtual court proceedings.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 30 and 30(a) of the Bihar Prohibition and Excise Act, 2018.

Altogether 3453.865 litres of foreign liquor is said to have been recovered from Mahindra Scorpio Magic and Honda Achiva Scooty. Accused persons were unloading illicit liquor for sale.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of his enemies. Their



name was transpired in this case on the basis of statement of local Chowkidar. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. The similarly situated co-accused Mukesh Rai has been granted bail by this Hon'ble Court in Cr.Misc. No. 52072 of 2021 on 16.02.2022. Petitioners have one criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioners are also involved in the present case.

Having regard to the facts and circumstances of the case, since the petitioners are involved in selling and purchasing of illicit liquor, I am not inclined to grant bail to the petitioners. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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