

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8930 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- BHAGWANGANJ District- Patna

1. BINDAL KUMAR Son of Late Jawahar Yadav Resident of Village- Pansari, P.S.- Bhagwanganj, District- Patna
2. MANTU KUMAR @ SATYENDRA KUMAR Son of Nand Lal Yadav Resident of Village- Pansari, P.S.- Bhagwanganj, District- Patna
3. PAPPU KUMAR Son of Sidheshwar Yadav Resident of Village- Pansari, P.S.- Bhagwanganj, District- Patna
4. SONU KUMAR @ FITAR Son of Mithalesh Yadav Resident of Village- Pansari, P.S.- Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard the parties.

Petitioners apprehend their arrest in connection with Bhagwanganj P.S. Case No.152/2022, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Patna.

Altogether 100 litres of country made liquor is said to have been recovered from under the grove of bamboo at the Bank of Punpun river. Apart from the liquor, two drums of 200 litres capacity, wine making apparatus, aluminum pipe and other utensils were also recovered.

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 their enemies. Their name transpired in this case on the basis of secret information. No incriminating article has been recovered from the conscious physical possession of the petitioners. They have not been apprehended on the spot and has been merely implicated in this case on suspicion. They have no concern either with the seized liquor or trade of liquor or the place of recovery. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the bail application by submitting that the petitioners are involved in manufacturing of illicit liquor.

Considering the aforesaid facts and circumstances, since the petitioners are members of syndicate involved in manufacturing of illicit liquor, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail on behalf of the petitioners named above is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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