

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12976 of 2023

Arising Out of PS. Case No.-408 Year-2022 Thana- GURUA District- Gaya

Jamun Mandal @ Jamuna Mandal @ Yamuna Mandal S/O Late Munsi
Mandal @ Munshi Bhuiyan Resident Of Village- Chansi, P.S.- Gurua,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Gurua P.S.
Case No. 408 of 2022 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018, pending in the Court of learned
Additional District and Sessions judge-cum-Exclusive Special
Excise Juge, Court No.2, Gaya.

As per the prosecution case, allegation against the
petitioner is that 6 liters of country made liquor has been
recovered from the house of the petitioner.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely



implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that petitioner was neither present on the spot nor he was seen fleeing away from there nor he was arrested on the spot at the time of alleged raid. Petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State vehemently opposing the bail petition submitted that illicit liquor has been recovered from the house of the petitioner. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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