

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13956 of 2023

Arising Out of PS. Case No.-959 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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1. Chhotan Mahto @ Jagarnath Mahto S/O Mangani Mahto Resident Of Village- Kolhuarwa Das Tola, P.S.- Town, District- East Champaran.
 2. Suresh Das S/O Late Shivlochan Das Resident Of Village- Kolhuarwa Das Tola, P.S.- Town, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 75 liters of country made liquor is said to have been recovered from the place of occurrence. He submits that the petitioners have been made accused in this case on the basis of confessional statement of co-accused. Petitioners have



no criminal antecedent as mentioned in para-3 of this application.

However, learned APP for the State opposes the prayer for bail and submits that the petitioners are also involved in the present case.

Having regard to the facts and circumstances of the case and the fact that the illicit liquor has been recovered from the possession of the petitioner, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Town P.S. Case No. 959 of 2022.

(Anjani Kumar Sharan, J)

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