

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39482 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- SARAI RANJAN District- Samastipur

1. MANISHA DEVI @ MANISHA KUMARI Wife of Subodh Mahto Resident of Village- Khalispur, Ward No. 2, PS- Sarairanjan, District- Samastipur
2. Subodh Mahto Son of Asarfi Mahto Resident of Village- Khalispur, Ward No. 2, PS- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehends their arrest in connection with Sarairanjan P.S. Case No.76 of 2023, registered for the offences punishable u/s 272, 273, 34 of the IPC and 30 (a) of Bihar Prohibition and Excise Act, 2018.

3. Altogether 20 liters of country made liquor is said to have been recovered from the house of the petitioners.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioners. They have no



concern either with the seized liquor or any trade of liquor. They have been falsely implicated in this case at the instance of their enemy. They were not apprehended on the spot and their name transpired in the case only on the basis of suspicion. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as the recovery has been made from the house of the petitioners, I am not inclined to enlarge their on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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