

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35495 of 2023

Arising Out of PS. Case No.-129 Year-2023 Thana- KHAGARIA District- Khagaria

1. Putul Devi Wife of Tempu Paswan Resident of Village- Kamalpur, Ward No. 20, PS- Khagaria, District- Khagaria
2. Badal Paswan Son of Tempu Paswan Resident of Village- Kamalpur, Ward No. 20, PS- Khagaria, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh,Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Allegedly, on the basis of secret information, when the informant along with other police personnel raided the house of the accused persons, they started fleeing away and succeeded in the same. Thereafter, on search , altogether 25 litres liquor country made wine and about 200 unprepared country made wine, which was destroyed, have been seized from behind the house of Tempu Paswan.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have no concern either with the seized liquor or any trade of liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been falsely implicated in this case at the instance of their enemies. They were not apprehended on the spot. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that petitioners were involved in illicit business of liquor.

6. Considering the facts and circumstances of case as well as nature of offence, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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