

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35814 of 2023

Arising Out of PS. Case No.-110 Year-2023 Thana- BISFI District- Madhubani

1. Ujjwal Kumar @ Ujjwal Thakur@Bittu Thakur, aged about 37 years, male, Son of Udai Thakur, Resident of Village- Raghoul, Ward No. 4, P.S.- Bisfi, Distt- Madhubani
2. Ankesh Kumar @ Ankur @ Ankesh Thakur, aged about 27 years, male, Son of Shiv Thakur, Resident of Village- Raghoul, Ward No. 4, P.S.- Bisfi, Distt- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Pankaj Kumar Singh, Advocate
For the Opposite Party : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with G.R. No. 544 of 2023; Bisfi P.S. Case No. 110 of 2023 dated 06.04.2023, instituted for the offence punishable under Sections 420, 467, 468, 471 & 120(B) of the Indian Penal Code and 30(a), 32 & 41 of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The prosecution story, in short, is that on 06.04.2023, at about 12:10 am, on secret information, the informant along with other police personnel reached near Bisfi PNB Bank. On seeing the police personnel, one accused, who



was standing near a Apache motorcycle bearing registration no. BR32AH-7695 trying to flee away and on chase he was caught by the police. Thereafter, the police stopped one truck bearing Registration No. BR06GD2634 and apprehended three persons, namely, Mithilesh Ram, Rajmohan Yadav and Dilkhush Yadav. On search, total 347.355 ltr. of illicit liquor was recovered from the said truck. During the course of investigation, the driver of the said truck stated that the alleged liquor was brought from Meghalay to deliver to Ujjwal Thakur (petitioner no. 1) and Ankur @ Ankesh Thakur (petitioner no. 2). Thereafter, the informant lodged an F.I.R. against the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. The entire allegations levelled against the petitioners are false and concocted. They have no concern with the alleged truck and liquor. Nothing has been recovered from the possession of the petitioners. It is further submitted that the alleged motorcycle belongs to the petitioner no. 1 and there is no recovery from the said motorcycle. Lastly, it has been submitted that petitioner no. 1 and petitioner no. 2 has one criminal case against them.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, this court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the prayer for bail is rejected.

8. If the petitioners surrender before the court below and pray for regular bail, the same shall be considered and disposed of on its own merit without being prejudiced by this order, preferably on the same day.

(Khatim Reza, J)

Gaurav Kumar/-

U		T	
---	--	---	--

