

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38632 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- GANGABRIDGE District- Vaishali

SHYAM BABU RAI @ SHYAM BABU RAY Son of Jagdish Rai R/O
Village - Terasiya Ward No.- 14, P.S.- Ganga Bridge, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Vashist, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard the parties.

2. Petitioner apprehends his arrest in connection with Ganga Bridge P.S. Case No. 63 of 2023, registered for the offence punishable Section 30(a), 30(c) of Bihar Prohibition and Excise Act.

3. Altogether, 35 litres country made liquor along with aluminum pipe and 1000 litres destroyed raw jawa in five drums have been recovered from the agricultural field of the petitioner. Seeing the police, petitioner along with one other accused person fled away from the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner rather the illicit liquor is



said to have been recovered from an open place. Petitioner has no concern either with the seized liquor or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemies. He was not apprehended on the spot. He had not consumed liquor. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State submitted that petitioner is member of the syndicate, which involved in manufacturing of the illicit liquor, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, nature of offence and criminal antecedent of similar nature that of the present case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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