

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37569 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

SIYA RAM RAY Son of Vaishali Ray @ Bangali Ray Resident of village -
Lalpokhar Dighi Kala West, P.S. - Hajipur Sadar, Distt. - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Hajipur Sadar P.S. Case No.277 of 2023, registered for the
offences punishable u/s 30 (a) of Bihar Prohibition and Excise
Act.

3. Altogether 148.125 liters of foreign liquor is said to have
been recovered from the toilet of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or any trade of liquor. He has been falsely
implicated in this case at the instance of his enemy. He was not



apprehended on the spot and his name transpired in the case only on the basis that the recovery has been made from the toilet of the petitioner but the alleged toilet is an old joint family toilet and was not in use and is also far from the present house of the petitioner. Petitioner has 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 toilet of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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