

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42797 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- GARDANIBAG District- Patna

Sandhya Devi @ Rubi Wife Of Guddu Ram Resident Of Village- Bhikhari
Thakur Bridge, New Ambedkar Colony, Ps- Gardanibagh, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Gardanibagh P.S. Case No. 311 of 2022 registered for the offences punishable under Section 30(a)/34 of the Bihar Prohibition and Excise Act, pending in the Court of learned Special Judge, Excise Act, Patna.

3. As per the prosecution case, allegation against the petitioner is of recovery of 59 liters of country made liquor from his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



nothing incriminating article recovered from the conscious possession of the petitioner. He further submits that the alleged illicit liquor is recovered from outside the house of the petitioner. The petitioner has one criminal antecedent of similar nature as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

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

(Anjani Kumar Sharan, J)

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