

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.46037 of 2023

Arising Out of PS. Case No.-190 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

1. ARJUN SAH @ ARJUN KUMAR SAH S/O RAM BABU SAH R/O VILLAGE- LAHERI TOLA PANDASARAI, BALBHADARPUR WARD NO. 48 PS. LAHERIASARAI, DIST. DARBHANGA
2. VICKY SAH @ VICKY KUMAR S/O RAM BABU SAH R/O VILLAGE- LAHERI TOLA PANDASARAI, BALBHADARPUR WARD NO. 48 PS. LAHERIASARAI, DIST. DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Laheriasarai Police Station Case No. 190 of 2023, dated 21.04.2023, disclosing offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 and Section 22 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that the petitioner no. 1 is indulged in selling illicit liquor and corax



syrup, reached the house of the petitioners and upon seeing the police party, two persons, came out of the house and succeeded in fleeing away. The local persons disclosed their name as the petitioners. On search of the house of the petitioners, the police recovered 24.48 litres of illicit liquor, 1920 tablets of Preevon Spas Plus, 1500 tablets of Alpra Zolam Anxit 0.5 and 500 ml. of Dialex DC, kept in three plastic sacks.

Learned Counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that no incriminating article has been recovered from the conscious possession of the petitioners; rather, the recovery has been made from a public lane and the petitioners have got no criminal antecedent.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that illicit liquor and huge quantity of drugs have been recovered from inside the house of the petitioners.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that illicit liquor and huge quantity of drugs have been recovered from inside the house of the petitioners, I am not inclined to grant anticipatory bail to the petitioners.



This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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