

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60294 of 2023

Arising Out of PS. Case No.-1345 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Bishwanath Sahni S/O Kedar Sahni R/O Village- Indradher, Ps. Manigachhi,
Dist. Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 7 liters of country made liquor is said to have been recovered from the place of occurrence. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of



this application.

4. However, learned APP for the State opposing the prayer for bail submits that the police has also recovered 300kg of Jawa from the place of occurrence.

5. Considering the facts and circumstances of the case and the fact that the petitioner is the member of syndicate who manufacturing the illegal liquor, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Excise Special Case No. 11 of 2018 arising out of G.O. Case No. 1345 of 2017.

(Anjani Kumar Sharan, J)

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