

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55831 of 2023

Arising Out of PS. Case No.-247 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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MUKESH SADA SON OF RAMASHISH SADA RESIDENT OF
VILLAGE-MANJAUL 1 KHAIRA WARD NO. 1, PS-
CHERIABARIYARPUR, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Adv.

For the Opposite Party/s : Mrs.Gulnar Begum, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 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 under Sections 188, 290 of the Indian Penal Code and 30(a) of Bihar Prohibition & Excise Act.

3. Altogether 25 litres of country made liquor and manufacturing utensils have been recovered from Khaira Tola near Dera of Kedar Singh. On seeing the police, all the accused persons started fleeing away. The local villagers disclosed the name of the petitioner as escaped person.

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. Petitioner has no concern either with the seized liquor or the place of recovery 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 enemy. He was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the statement of the local villagers. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of case, as petitioner is involved in business of illicit liquor, 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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