

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61225 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- PAKRIDAYAL District- East Champaran

=====

SANJAY RAI SON OF LATE SURYADEO RAI RESIDENT OF VILLAGE
HARNATHPUR PARSAUNI, P.S.- PAKARIDAYAL, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner apprehends his arrest in connection with
Pakaridayal P.S. Case No.115 of 2023, registered for the offence
punishable u/s 272, 273, 34 of the IPC and 30(a) of the Bihar
Prohibition and Excise Act-2018.

3. Altogether 1055.145 litres of foreign liquor is said to have
been recovered from the spot and one person was apprehended,
who alleged that petitioner and other accused fled away on
seeing the police.

4. Learned counsel for the petitioner submits that petitioner
is quite innocent and has not committed any offence as alleged
in the FIR. Petitioner has been falsely implicated in this case at



the instance of his enemies. His name transpired in this case on the disclosure of his name by the apprehended co-accused and that he is owner of the brick kiln (place of recovery). Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor or the vehicle of recovery. Petitioner has two criminal antecedent of similar nature of offence, as also mentioned in para-3 of the bail application.

5. Having regard to the facts and circumstances of the case, since the recovery has been made from the brick kiln of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

6. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

