

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67784 of 2022

Arising Out of PS. Case No.-321 Year-2022 Thana- BARH District- Patna

TETAR RAY Son of Lakhan Ray Resident of Village- Pachhiyari Malahi,
P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Anjana

For the Opposite Party/s : Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in connection with Barh P.S. Case no.321 of 2022, registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Act, 2016.

Altogether 520 liters of country made liquor as well as liquor packing machine is said to have been recovered from the spot. Two persons were apprehended on the spot and they disclosed the name of the petitioner and other accused persons.

It is submitted by learned counsel for the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the



seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot and his name transpired in the case only on the basis of statement of apprehended co-accused persons. Petitioner has one criminal antecedent of similar nature.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is also involved in the manufacturing of illicit liquor.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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