

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72421 of 2023

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

Sahdeo Ray S/O Singheshwar Ray R/O Village- West Malahi, P.S- Barh,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 520 litres of country made liquor, one liquor packing machine and 2000 litres of java mahua are said to have recovered from the place of the occurrence. He submits that allegation against the petitioner is that he along with other co-accused managed to ran away from the place of occurrence. He further submits that two persons were apprehended by the police who disclosed the name of the



petitioner. He submits that there is no recovery made from the conscious possession or from the house of the petitioner. He further submits that petitioner has got two criminal antecedents in similar nature of the offences as stated in para-3 of the bail application.

4. Learned APP for the State opposes the prayer for bail and submits that petitioner is a member of the syndicate who is involved in the manufacturing and selling of the illicit liquor. Hence, he does not deserve anticipatory bail.

5. Considering the facts and circumstance of the case and the fact that petitioner is a member of the syndicate which is engaged in the manufacturing and selling of the illicit liquor, I am not inclined to enlarge the petitioner on bail in connection with Barh P.S. Case No. 321 of 2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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