

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1100 of 2023

Arising Out of PS. Case No.-346 Year-2022 Thana- NAWANAGAR District- Buxar

1. SURESH YADAV Son of Late Shiv Parshan Yadav Resident of Village - Chhapra (Bhada Dera), P.S.- Bagengola, District - Buxar
2. Chhotu Yadav @ Sumant Kumar Son of Nandji Yadav @ Nandji Singh Resident of Village - Chhapra (Bhada Dera), P.S.- Bagengola, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Nawanagar (Sonvarsha O.P.) P.S. Case No.346 of 2022, registered for the offence punishable u/s 30(a), 30(c) of the Bihar Prohibition and Excise Amendment Act.

Allegedly 20 litres of country made liquor, 64 litre raw material and wine making articles are said to have been recovered from the spot and one person was apprehended, who disclosed the name of petitioners and others as his associates having been fled away on seeing the police.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have not been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have been made accused in this case on the basis of confessional statement of the apprehended co-accused. They have no concern either with the recovery of the illicit liquor or any trade of liquor. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, since the petitioners are the member of the syndicate involved in manufacturing of liquor, I am not inclined to enlarge them on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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