

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35060 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- BABUBARHI District- Madhubani

Ram Ghulam Mandal @ Gulam Mandal Son of Chetru Mandal Resident of
Village- Tirhuta, P.S- Babubarhi ,Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Babubarhi P.S. Case No. 193 of 2023, instituted for the offences punishable under Sections 272, 272 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 66 liters liquor was recovered from the orchard of the petitioner.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioner. The petitioner



has got no concern with the alleged recovery of liquor. It is further submitted that the alleged place of recovery is an open place which is accessible to everyone. The petitioner has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the serious nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. The prayer is rejected.

9. Petitioner is directed to surrender before the learned Court below and seek regular bail which shall be considered by the learned Court below without being prejudiced by this order of rejection.

(Rudra Prakash Mishra, J)

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