

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52355 of 2024

Arising Out of PS. Case No.-228 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. Chhotan Sah Son of Sukhal Sah R/o Village- Badraha Durga Chowk, P.S.-
Turkauliya, District- East Champaran
 2. Fuldeo Sah Son of Chhotan Sah R/o Village- Badraha Durga Chowk, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Excise P.S. Case No. 228 of 2020 registered for the
offences punishable u/s 30 (a) of Bihar Prohibition and Excise
Act, 2016.

3. Altogether 400 litres of illicit spirit and wine making
machine were recovered from the bank of a Paien and the
present petitioners were indulged in manufacturing and selling
illicit spirit and wine and managed to escape from the spot.

4. It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and has committed no



offence. He has been falsely implicated in this case due to ulterior motive. Nothing has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor and spirit. The place of recovery i.e. bank of a Paien does not belongs to the petitioners. Petitioners have no criminal antecedent.

5. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail is hereby rejected.

6. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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