

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57897 of 2024

Arising Out of PS. Case No.-309 Year-2024 Thana- MADHAURAH District- Saran

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1. Mantu Nutt Son of Daharu Nut Resident of Bajit Borha, P.S. - Marhurah, District - Saran at Chhapra
 2. Chaneswar @ Dhaneshwar Nut Son of Saral Nut Resident of Bajit Borha, P.S. - Marhurah, District - Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Marhurah P.S. Case No. 309 of 2024, registered for the offences punishable under Section 30(a) of Bihar Prohibition of Liquor Act, 2022.

3. Altogether 210 litres of country made liquor has been recovered from an open field. Petitioners are said to have fled away from the spot.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the



conscious physical possession of the petitioners rather the alleged recovery is said to have been made from an open field. They have no concern either with the seized liquor or place of recovery or any trade of liquor. The allegation levelled against the petitioners is totally false and based on concocted facts. They were not apprehended on the spot. Petitioner have been falsely implicated in this case at the instance of his enmity with Chowkidar, who disclosed the name of the petitioners as fled away persons. It is further submitted that petitioner no.1 has three criminal antecedents, whereas petitioner no.2 has two criminal antecedents. Both the petitioners have criminal antecedents of similar nature of offence that of the present case.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering the criminal antecedents of the petitioners, I am not inclined to enlarge them on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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