

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64092 of 2024

Arising Out of PS. Case No.-169 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Sanjay Chaudhari S/O Late Tahal Chaudhari @ Tahal Chaudhri @ Mahadev Chaudhary @ Mahadev Mahto Resident Of Village- Madhubani Ghat, P.S- Muffasil, District- East Champaran
 2. Gyatri Devi W/O Mahadev Chaudhary @ Mahadev Mahto @ Late Tahal Chaudhari @ Tahal Chaudhri Resident Of Village- Madhubani Ghat, P.S- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-10-2024 Heard Mr. Karandeep Kumar, learned counsel for

the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioners apprehend their arrest in Muffasil

P.S. Case No. 169 of 2024 registered for the offences punishable

under Sections 272 and 273 of the Indian Penal Code and

Section 30(a) of the Bihar Prohibition and Excise (Amendment)

Act.

3. As per the prosecution case, 10 litres of counter

made liquor has been recovered from the house of the

petitioners and the petitioners succeeded to flee away from



their house.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that, as a matter of fact, at the time of alleged raid, no family members including the petitioners were present in the house. They are labourer and at that time they had gone to do the work of labour in the field. The petitioner no. 1 has no criminal antecedent and the petitioner no. 2 has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioners are also involved in the present case.

6. Considering the facts and circumstances of case and the fact that the said liquor is said to have been recovered from the house of the petitioners, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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