

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 66689 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- RISIYAP District- Aurangabad

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Kaushal Singh Son of Late Shailendra Singh Village- Santhua, P.S.- Risiyap,
Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Nikita Mittal
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Risiyap P.S.
Case No. 81 of 2024 registered for the offences punishable
under Sections 30(a)/30(d) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per the prosecution case, on the basis of
secret information the informant along with other police
officials went near the brick-kiln situated at Santhua village
which belongs to Kaushal Singh (the petitioner) and upon
search it was found that illicit liquor was being prepared in a
hut situated in the brick-kiln and 25 litres of country made
liquor was recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no any direct, indirect or circumstantial evidence which shows the complicity of the petitioner in the alleged occurrence. He further submits that petitioner's brother is the owner of the said brick-kiln. However, it is noted in paragraph 9 of this application that the petitioner's name has surfaced in this case merely because he is the owner of the brick-kiln in question. The petitioner has four criminal antecedents of not similar nature as mentioned in para-3 of this application.

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

6. Considering the facts and circumstances of case and the fact that the petitioner is involved in the manufacturing of illicit liquor, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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