

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65910 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- LAKHAURA District- East Champaran

Mahangu Sahani @ Jitendra Sahani @ Jitendra Kumar Son of Bhukhal
Sahani @ Sukhal Sahani Resident of Village - Katahan Loknathpur, P.S. -
Motihari 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. Syed Ehteshamuddin, APP.

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 connection with
Lakhaura P.S. Case No. 81 of 2024 registered for the offences
punishable under Section 30(a), 32 and 41(1) of the Bihar
Prohibition and Excise (Amendment) Act .

3. Altogether 60 litres of country made liquor has been
recovered from an orchard situated at bank of Sikrahana river.
Seeing the police party, petitioner as well as other co-accused
persons is said to have fled away from the spot.

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



physical possession of the petitioner, rather the illicit liquor has been recovered from the orchard of one Naruddin, who has not been made accused in the present case. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has falsely been implicated in the present case due to animosity. The allegation levelled against the petitioner is totally false and based on concocted facts. His name has been transpired in the present case merely on the disclosure made by the local people. He was not apprehended on the spot. It is further submitted that petitioner has five criminal antecedents of similar nature of offence that of the present case.

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

6. Considering the facts and circumstances of the case as well as the criminal antecedents of the petitioner having similar nature of offence that of the present case, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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