

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75329 of 2024

Arising Out of PS. Case No.-343 Year-2018 Thana- MASHRAK District- Saran

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1. Manan Singh S/o Krishna Singh R/o Village- Bangra Chauhan Tola, P.S.- Mashrak, District- Saran
 2. Sonu Singh @ Sonu Kumar S/o Dudhnath Singh R/o Village- Ekona, P.S.- Mashrak, District.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-12-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Mashrak P.S. Case no. 343 of 2018 registered under sections 272 and 273 of the Indian Penal Code and sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted 6200 litres of illicit liquor was recovered from the truck and a number of accused persons were caught. On inquiry, the accused who were caught disclosed that the liquor was meant for a number of accused persons named in the F.I.R. including the two petitioners herein.

4. It is submitted by learned counsel for the petitioners



that they have been falsely implicated in the case. The petitioner no.2 has no criminal antecedent. From the contents of the F.I.R. itself it would be evident that no incriminating article was recovered from their possession. They have neither any concern with the seized articles, the vehicle in question or the accused who were caught at the place of occurrence. A number of co-accused have been enlarged on bail.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that in connection with an F.I.R. registered on 6.10.2018, the petitioners have remained at large for almost 6 years and it is only in the year 2024 that they moved the learned trial Court for grant of anticipatory bail.

6. In response, learned counsel for the petitioners submits that they did not receive any summons from the learned trial Court and also because of the Covid pandemic that they did not appear.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioners being named therein, a total of 6200 litres of liquor having been recovered and the petitioners having remained at large for more than 6 years, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is



rejected.

8. The petitioners are directed to surrender in the
learned Court below within a period of four weeks.

(Partha Sarthy, J)

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