

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78225 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- RAGHOPUR District- Vaishali

1. Panchu Ray S/O Lala Ray Resident Of Village- Chanpura, Ward No 5, P.S- Raghopur, Distt.- Vaishali at Hajipur.
2. Sharda Devi W/O Panchu Ray Resident Of Village- Chanpura, Ward No 5, P.S- Raghopur, Distt.- Vaishali at Hajipur.
3. Mulekha Devi W/O Arvind Ray Resident Of Village- Chanpura, Ward No 5, P.S- Raghopur, Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Adv.
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to
withdraw this application in respect of petitioner no.1,
submitting that during pendency of this application petitioner
no.1 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn
in respect of petitioner no.1.

5. Now this application survives for petitioner nos. 2 & 3
only.

6. The petitioners apprehend their arrest in connection with



Raghopur P.S. Case No. 231 of 2024 registered for the offences punishable under Sections 274, 275 of the B.N.S. 2023 and Section 30 (a) of the Bihar Liquor Prohibition and Excise Act, 2018.

7. Altogether 4 litres of country made liquor has been recovered from the said hut.

8. 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 physical possession of the petitioners or from their house. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioners is totally false and based on concocted facts. They have no concern with the alleged hut from where the said illicit liquor was recovered. They were not apprehended on the spot. Their names have been transpired in the present case due to high handedness of the police. Learned counsel further submits that petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

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

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail



of the petitioners is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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