

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73707 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- KHAJAULI District- Madhubani

1. Sumit Kumar@ Sumit Kumar Sah Son of Dinesh Sah @ Ghur Ghur Sah R/O-Village -Maniarwa(Khajauli Bazar), P.S.- Khajauli, District-Madhubani
2. Manish Kumar Son of Dinesh Sah @ Ghur Ghur Sah R/O-Village -Maniarwa(Khajauli Bazar), P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gangandeo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s :		Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in Khajuli P.S. Case No. 166 of 2024 registered for the offences punishable under Sections 273, 274 of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, 9.060 litres of foreign liquor is said to have been recovered from the house of the petitioner no. 1.

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 no incriminating article or illicit liquor has been recovered from conscious possession of the petitioners. He further submits that the petitioners are residing in joint house. The petitioner no. 1 has four criminal antecedents out of which three antecedents are of similar nature and petitioner no. 2 has one criminal antecedent as mentioned in para 3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the said liquor is said to have been recovered from the house of petitioner no. 1.

6. Considering the facts and circumstances of case and the said liquor is said to have been recovered from the house of petitioner no. 1, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners are hereby rejected.

(Anjani Kumar Sharan, J)

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