

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73630 of 2024

Arising Out of PS. Case No.-362 Year-2024 Thana- BARUN District- Aurangabad

Madal Bhuiya @ Sanoj Manjhi @ Sanoj Bhuiya Son of Late Suresh Bhuiya
Resident of Village - Gurua, P.S. - Gurua, District - Gaya. At Present Resident
of Karmkila, Manjhauli, P.S. - Barun, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with
Barun P.S. Case No. 362 of 2024 registered for the offences
punishable under Sections 30(a)/30(c) of the Bihar Excise and
Prohibition (Amendment) Act, 2018.

3. Altogether 5 litres of Mahua liquor and 65 litres of
jawa *mahua* as well as other articles used in manufacturing in
liquor have been recovered from the field situated at backside
of the house of the petitioner's father-in-law. Petitioner is said
to have fled away from the spot.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house, rather the alleged recovery has been made from the roadside, which is an open place. He has no concern either with the seized liquor or place of recovery or any trade of liquor. He was not apprehended on the spot. He has been made accused in the present case merely on the basis of disclosure made by local people and except the aforesaid, there is nothing on record to indicate the complicity of the petitioner. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as petitioner is a member of the syndicate involved in manufacturing of illicit liquor, I am not inclined to enlarge him on anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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