

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74102 of 2024

Arising Out of PS. Case No.-311 Year-2024 Thana- BAIRIYA District- West Champaran

Raju Kumar @ Raju Sah S/O Radheshyam Sah Resident of Village-
Pakhnaha, Dumariya, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Bairiya P.S. Case no.311 of 2024 registered for the offence punishable under sections 274 and 275 of the Bharatiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on information having been received, it is stated that a raid was conducted at the flour mill of the petitioner. While the petitioner managed to escape, 21.15 litres of liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The alleged place of occurrence is an open place which cannot be said to be under the exclusive control of the petitioner. A copy



of the seizure list was not handed over to any of the family members of the petitioner. The petitioner undertakes to cooperate in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR according to which 21.15 litres of liquor was recovered from the flour mill of the petitioner while the petitioner managed to escape together with the petitioner having an antecedent under the Bihar Prohibition and Excise Act, 2016, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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