

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78050 of 2024

Arising Out of PS. Case No.-367 Year-2024 Thana- BABUBARHI District- Madhubani

1. Sunita Devi Wife of Chandra Kumar Paswan @ Chandar Paswan Resident of Village - Bathuaha, P.S. - Babubarhi, District - Madhubani
2. Vinita Devi Wife of Raj Kumar Paswan Resident of Village - Bathuaha, P.S. - Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, 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. The petitioners apprehend their arrest in connection with Babubarhi P.S. Case No. 367 of 2024 registered for the offences punishable under Section 30(a), 37 of the Bihar Prohibition and Excise Act.

3. Altogether 1.700 litres of country made wine has been recovered from the possession of the apprehended persons. Seeing the police, the petitioners are said to have fled away from the spot.

4. 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 were not apprehended on the spot. None of the apprehended persons disclosed the name of the petitioners. Their names have been transpired in the present case due to high handedness of police. Learned counsel further submits that petitioner no.1 has six criminal antecedents in similar nature, whereas petitioner no.2 has five criminal antecedents of similar nature of offence that of the present case.

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

6. Considering the facts and circumstances of the case as well as the criminal antecedent of the petitioners, 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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