

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77570 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- R S P.S. District- Araria

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1. Abu Talib Son of Late Abdul Quddus Resident of Village - Hariyabara, Ward 10, P.S. - R.S. - District - Araria
 2. Rahman Son of Late Abdul Quddus Resident of Village - Hariyabara, Ward 10, P.S. - R.S. - District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with R.S. P.S. Case No.144 of 2024 for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. It is alleged that 33.310 liters of foreign wine and beer is said to have been recovered from the Baleno car and a motorcycle parked in front of the house of the petitioners.

4. The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and



omnibus in nature. It is further submitted that petitioner no.2 is the registered owner of the seized vehicle, whereas petitioner no.1 has no concern either with the seized vehicle or the seized liquor. They have been falsely implicated in this case at the instance of their enemy by planting the aforesaid recovery. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the recoveries have been made in front of the house of the petitioners and petitioner no.2 is the registered owner of the seized car, whereas petitioner no.1 is his brother, hence, they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the place of the recovery, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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