

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82537 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Bhullu Ray @ Bholla Ray Son of Late Mahendra Ray Resident of Village -
Uttari Dhamaun, Ward No.09, P.S. - Shahpur Patori, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Prasad Roy, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Shahpur Patori P.S. Case No. 36 of 2024 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Altogether 18 litres of country made liquor has been recovered from the house of the petitioner. After seeing the police, petitioner is said to have fled away from the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or



any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. His name has been transpired in the present case at the instance of his enemy by planting the aforesaid recovery. Learned counsel further submits that the petitioner was not apprehended on the spot and he has one criminal antecedent of similar nature of the offence that of the present case.

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

6. Having regard to the facts and circumstances of the case, as the alleged recovery has been made from the house of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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