

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84556 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- SANDESH District- Bhojpur

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1. Ramesh Musahar Son of - Late Ramji Musahar Resident of Village - Jamuaao Mushar Toli, P.S.- Sandesh, District- Bhojpur.
 2. Jitendra Musahar, Son of -Late Haridwar Musahar, Resident of Village - Jamuaao Mushar Toli, P.S.- Sandesh, District- Bhojpur.
 3. Bhuyar Musahar, Son of - Late Bhorik Musahar, Resident of Village - Jamuaao Mushar Toli, P.S.- Sandesh, District- Bhojpur.
 4. Lalu Musahar, Son of - Late Rajaram Musahar, Resident of Village - Jamuaao Mushar Toli, P.S.- Sandesh, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Sandesh P.S. Case No. 239 of 2023 dated 01.10.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 59 litres of illicit liquor was recovered from the house of the petitioners.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case.



The name of the petitioners was disclosed by villagers. It is further submitted that the petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners by submitting that the recovery has been made from the house of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with direction to the petitioners to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioners on the same day without being prejudiced by this order.

8. The application stands disposed of.

(Chandra Prakash Singh, J)

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