

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3064 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- GANGABRIDGE District- Vaishali

Wakil Rai @ Wakil Ray @ Baigan S/O Jogi Ray @ Yogi Ray Resident of
village - Harwanspur, P.S- Hajipur Town, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-02-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Ganga Bridge Police Station Case No. 213 of 2024,
disclosing offences under Sections 30(a)(c), 37(c) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. The prosecution case as per the First Information
Report is that, on 17.10.2024, at about 05:15 PM, the police got
secret information that liquor kiln was running near the bank of
River Ganga where country made liquor (Mahua) is being
manufactured and sold. Upon such information, police reached
near the place of occurrence and upon seeing the police party,
two persons started fleeing away. On chase, one person was
apprehended by the police, who disclosed his name as Co-
accused Laxman Kumar and he also disclosed before the police



that he and the person who succeeded in fleeing away are the owners of the liquor kiln. On search, the police recovered 40 liters of illicit country made liquor and other chemicals and equipment used for preparation of liquor.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to police mechanism and maneuverings. Petitioner has been made accused on the basis of confessional statement made by co-accused persons namely Laxman Kumar. Petitioner was not arrested from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner is not the owner of the place from where the recovery of illicit liquor has been made. The alleged recovery is from a public place which accessible to everyone.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner allegedly was involved in the manufacturing of spurious liquor, consumption of which may be injurious to health of general public and disclosure made by the co-accused may be the basis of further investigation, I am not inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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