

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6114 of 2015

Arising Out of PS.Case No. -922 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Ravi Kumar Son of Mahesh Rai Resident of Pandey Galli Motijheel,
P.S.- Town, District- Muzaffarpur presently residing at Mohalla- Chhoti
Saraiyaganj Ezazimarg, P.S. Town, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate.

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2015 Heard both sides.

The petitioner apprehends his arrest in Town P.S. Case
No. 922 of 2014, registered for the offences punishable under
Section 47(A) of the Excise Act.

The police got information and went near the licensee
shop of the petitioner. One Birendra Sah was apprehended while
selling liquor. Birendra Sah disclosed that he is salesman of the
shop of the petitioner and a photo copy of the license was also
shown. The period of license had already expired.

Learned counsel for the petitioner submits that the
petitioner was licensee of the shop and the shop was closed. The
person who was selling liquor was apprehended by the police.

Father of the petitioner has already been enlarged on anticipatory bail.

Considering the facts aforesaid and the fact that the petitioner runs a licensee shop and after expiry of the license the petitioner allowed the wine to be sold, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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