

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19466 of 2017**

Arising Out of PS.Case No. -107 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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1. Ranjeet Choudhary, Son of Kishun Choudhary @ Krishan Chaudhry,  
Resident of Village- Bihta, Police Station- Sheikhpura, District- Sheikhpura.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Sri Upendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
ORAL ORDER

2      15-06-2017                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Sheikhpura Police Station Case No. 107 of 2017 registered under Sections 272, 273 and 353 of the Indian Penal Code and 30(1) of the Bihar Excise Prohibition Act, 2016.

The petitioner has been indicted with selling illicit liquor near brick-kiln and 15 liters of country made liquor was seized from the said place.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has not committed any offence. He has falsely been implicated in this case. As a matter of fact, one kailash Sao was a candidate of Mukhiya in Election



but he had lost the election as the petitioner did not cast vote in his favour. Said Kailash Sao is having shop in the vicinity of brick-kiln and out of the animosity and grudge, he has falsely implicated the petitioner in the alleged occurrence. Nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. The petitioner is of clean antecedent.

As section 76 of the Bihar Prohibition and Excise Act, 2016 specifically bars the anticipatory bail petition, hence, this application is not maintainable. Accordingly, this anticipatory bail application is dismissed as not maintainable.

However, the petitioner, above named, is directed to surrender before the court below within four weeks and seek regular bail. The court below shall dispose of the bail application of the petitioner on the very date of filing the same without being prejudiced by the order of this Court.

**(Prakash Chandra Jaiswal, J.)**

Brajesh/-

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