

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30173 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -HATHAURI District- SAMASTIPUR

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Ravish Kumar @ Ved Prakash Son of Ashok Kumar Sinha @ Ashok Singh,
resident of Village- Parsa, P.S.- Hathauri (Shivaji Nagar O.P.), District-
Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Hathauri P.S. Case No. 22 of 2017 instituted for the offence under Sections-30(a), 38(i)(ii), 41(i) of the Bihar Prohibition and Excise Act, 2016 minor Sections of the Indian Penal Code.

It is alleged in the written report that police got confidential information that this petitioner and co-accused Mukesh Kumar had concealed the country-made liquor in an orchard. The police conducted raid and recovered country-made liquor from the orchard and one person namely Mukesh Kumar was arrested, who was talking with this petitioner on mobile informing him not to come on the place because the liquor has been seized by the police. The police seized the mobile Phone of Mukesh Kumar and from the print out, it appears that he had talked with this petitioner on his mobile.



Counsel for the petitioner has submitted that the liquor has been recovered from the orchard near one Brahmsthal as will appear from para-22 of the case diary. He was not present on the spot but in the written report, it is alleged that the apprehended person Mukesh Kumar was informing this petitioner on mobile that the liquor has been seized. He was asking him to not come there.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected.

The petitioner is directed to surrender in the court below and seek regular bail and if, the petitioner makes prayer for anticipatory bail, the court below will consider the same and dispose off on the same day on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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