

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14918 of 2019

Arising Out of PS. Case No.-446 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

Ravi Kumar Sah, Son of Laxman Sah @ Laxman Prasad, Resident of Village
- Naya Tola Banjariya Pandal, P.S.-Banjariya, District-West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr.Adv.

Miss Rashmi Bharti, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2019 Heard learned senior counsel for the petitioner and
learned APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Excise Case No.446 of 2018 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Learned senior counsel for the petitioner submits that
the recovery has been made from the rooms which are occupied
by the students and are being used as lodge. There is no
recovery from the residential portion of the house wherein the
father of the petitioner resides with the family. The petitioner is
said to be the most junior member of the family.

On the other hand, learned APP for the State submits



that the petitioner is an accused in one more case of similar nature being Turkaliya (Banjariya) P.S. Case No.285 of 2017 registered under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016 in which he is on bail. It is submitted that while he was on bail recovery of alleged illicit liquor from the house of the petitioner would go against him and this Court may not exercise its discretion to grant anticipatory bail to the petitioner.

Considering the facts and circumstances of the case wherein the petitioner is on bail in a case of similar nature and at this stage once again huge quantity of illicit liquor has been recovered from the house of the petitioner where he resides with his father and other family members, this Court is not willing to extend the privilege of anticipatory bail to the petitioner.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

