

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40073 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- MUFFASIL District- Aurangabad

RAVINDRA KUMAR @ RABINDRA YADAV, Male, aged about 34 years,
Son of Jimdari Yadav, Resident of Village-Ajrakbe Hasauli, P.S.-Aurangabad
(Muffasil), District-Aurangabad ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Adv.
For the Opposite Party : Mr. Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Aurangabad (Muffasil) P.S. Case No. 86 of 2019 for the
offences alleged under Sections 272 and 273 of the Indian Penal
Code and 30(a) and 37(c) of the Bihar Prohibition and Excise
Act, 2016, pending in the Court of the Additional Sessions
Judge VII-cum-Special Judge, Excise, Aurangabad.

The accusation is that in course of search of the house
of the petitioner 13 bottles, each containing 375 ml of Indian
made foreign liquor, were recovered from the room of the
petitioner where as 10 bottles, each containing 375 ml of Indian
made foreign liquor, were recovered from the room of Kalendra
Kumar, who is the brother of the petitioner.

The learned counsel appearing for the petitioner



submits that the alleged recovery of Indian made foreign liquor is from the joint house of the petitioner and the petitioner was not apprehended on the spot.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, in view of the Full Bench decision reported in Criminal Appeal (SJ) 431 of 2019, dated 17.05.2019, (Ram Vinay Yadav vrs. the State of Bihar), the prayer for pre-arrest bail is **rejected**.

The petitioner is directed to surrender before the Court below and pray for regular bail.

(Rajendra Kumar Mishra, J)

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