

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44668 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- RANIGANJ District- Araria

RAMAN KUMAR MANDAL @ RAMAN MANDAL Son of Shri Nunu Lal
Mandal Resident of village - Kharhat Barmotra, P.S.- Raniganj, Dist.- Araria,
Bihar, Pin-854311

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Raniganj Police Station Case No. 31 of 2018 (Special Case No. 89 of 2018), disclosing offences under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').

The prosecution case, as per the First Information Report, is that the police raided the tent house of the petitioner and recovered 1.800 litres of illicit liquor.

Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence under the provisions of the Act inasmuch as the illicit liquor has been



recovered, in the mid-night raid, from a box kept in the tent house, having no boundary wall.

After having heard learned Counsel for the parties and taking into consideration the fact that the illicit liquor has been recovered from the premises of the petitioner and in view of the Full Bench decision, in Criminal Appeal (S.J.) No. 431 of 2019, I am not inclined to exercise my discretion for grant of anticipatory bail.

This application is, accordingly, dismissed.

However, considering the nature of allegation in the First Information Report, it is directed that if the petitioner, Raman Kumar Mandal @ Raman Mandal, surrenders before the Court below within fifteen days from today and applies for regular bail, his application shall be considered and decided on the same day, without being prejudiced by the present order of dismissal.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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