

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83308 of 2019

Arising Out of PS. Case No.-190 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Ratnesh Ranjan Son of Shambhu Prasad Singh Resident of Village -
Ibrahimpur Birahima, P.S.- Baruraj, District- Muzaffarpur. At present
Residing at Basant Bihar Colony, Paigamberpur, P.S.- Ahiyapur, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Kanti (Panapur O.P.) P.S. Case No. 190 of 2019 for the
offence punishable under Sections 30(a), 38 and 41 of Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner is that while the
police was on patrolling duty, a white colour Bolero car, which
was being rashly and negligently driven by its driver, was
intercepted, however, the driver, who happens to be the
petitioner herein, managed to flee away. It is alleged that upon
search being made, 169.545 litres of illicit foreign liquor was



recovered from the said Bolero vehicle.

The learned counsel for the petitioner submits that the petitioner is innocent and is having no criminal antecedent, hence he should be granted the privilege of anticipatory bail.

I have heard the learned counsel for the parties and I find that there is direct allegation against the petitioner of carrying illicit liquor in the Bolero car, hence it cannot be said that no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016. In such view of the matter, as also considering the bar to grant of anticipatory bail under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, I do not find any merit in the present petition, so as to grant the privilege of anticipatory bail to the petitioner herein, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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